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BEFORE THE  
KANSAS ADVISORY COMMITTEE TO THE  
U. S. COMMISSION ON CIVIL RIGHTS  
  
RACE RELATIONS IN RURAL KANSAS TOWNS

December 14, 1995

Garden City Community College  
Student Center  
801 Campus Drive  
Garden City, Kansas

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Meet.  
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**CHAIRPERSON ROIJAS:** The meeting of the Kansas Advisory Committee to the U. S. Commission on Civil Rights shall come to order.

For the benefit of those in the audience, I shall introduce myself and my colleagues. My name is Ana Roijas and I will be acting as a chairperson of the Advisory Committee. Our chairperson, Dr. Jacob Gordon, is snowbound in Boston, so we will carry on without him, but I wish he could be here.

The members of this committee are, to my right, Francis Acre, from Dodge City; William Nulton, from Prairie Village; Teresa Flores, from Liberal, and Dr. Il Ro Suh, from Overland Park. Also present with us are Melvin Jenkins, Director of the Central Regional Office, and Ascension Hernandez, civil rights analyst.

We are here to conduct a community forum for the purpose of gathering information on race relations in western Kansas. We will take an in-depth look at a broad range of perspectives in order to identify civil rights issues related to employment, education, and the administration of justice in rural Kansas towns.

The jurisdiction of the Commission includes discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability,

1 or national origin or in the administration of justice.

2 Information which relates to the topic of  
3 the meeting will be especially helpful to the Advisory  
4 Committee. The proceedings of this meeting, which are  
5 being recorded by a public stenographer, will be sent to  
6 the Commission for its advice and consideration.  
7 Information provided may also be used by the Advisory  
8 Committee to plan future activities.

9 At the outset, we wish to remind everyone  
10 present of the ground rules. This is a public meeting,  
11 open to the media and the general public; but we have a  
12 very full schedule of people who will be providing  
13 information within the limited time we have available.  
14 The time allotted must be strictly adhered to by each  
15 presenter. In order that every one scheduled has an  
16 opportunity to present his or her comments, each  
17 presentation will be followed by questions from  
18 committee members.

19 In order to accommodate persons who have not  
20 been scheduled, but wish to make statements, we have  
21 included an open session from approximately 5:20 P. M.  
22 until 6:00. Is that correct?

23 MR. JENKINS: 5:40.

24 CHAIRPERSON ROIJAS: 5:40 this evening.

25 Anyone wishing to make a statement during that period

1 should contact Ascension Hernandez for scheduling.

2 Written statements may be submitted to committee members  
3 or staff here today or by mail to the U. S. Commission  
4 on Civil Rights, 400 State Avenue, Suite 908, Kansas  
5 City, Kansas 66101.

6 The record of this meeting will close on  
7 January 14, 1996.

8 Though some of the statements made today may  
9 be controversial, we want to insure that all invited  
10 participants do not defame or degrade any person or  
11 organization. In order to insure that all aspects of  
12 the issues are represented, knowledgeable persons with a  
13 wide variety of experience and viewpoints have been  
14 invited to share information with us.

15 Any person or any organization that feels  
16 defamed or degraded by statements made in these  
17 proceedings should contact our staff during the meeting  
18 so that we may provide an opportunity for public  
19 response. Furthermore, such persons or organizations  
20 may file written statements for inclusion in the  
21 proceedings. We urge all persons making presentations  
22 to be judicious in their statements.

23 The Advisory Committee appreciates the  
24 willingness of all participants to share their views and  
25 experience with the committee.

1 With that, how we will have some remarks.  
2 No? You don't care to have any remarks. Okay. Our  
3 first speaker will be Dora Falcon, Community Developer  
4 from Dodge City, Kansas. Would you come forward,  
5 please?

6 MS. FALCON: You want me --

7 CHAIRPERSON ROIJAS: Yes, please.

8 MS. FALCON: Thank you, everybody --

9 CHAIRPERSON ROIJAS: Good morning.

10 MS. FALCON: -- and thank you for asking me  
11 to be here present and --

12 CHAIRPERSON ROIJAS: Before we get started,  
13 for the record, please state your name, address, and  
14 occupation.

15 MS. FALCON: Dora Falcon, 2700 Meadowlark  
16 Lane, Dodge City, Kansas. My occupation is community  
17 developer and organizer of the United Methodist Western  
18 Kansas Mexican-American Ministries.

19 CHAIRPERSON ROIJAS: Okay. Do you have a  
20 statement on the issue of race relations in Western  
21 Kansas with reference to your job or your community  
22 activities?

23 MS. FALCON: Community activities.

24 CHAIRPERSON ROIJAS: Okay. Please describe  
25 your concerns regarding race relations in western

1 Kansas. In your opinion, are there any issues that need  
2 to be discussed?

3 MS. FALCON: Very many.

4 CHAIRPERSON ROIJAS: Okay.

5  
6 DORA FALCON

7  
8 COMMUNITY DEVELOPER AND ORGANIZER,  
9 UNITED METHODIST WESTERN KANSAS  
10 MEXICAN-AMERICAN MINISTRIES

11  
12 Well, as I understand, I guess, with my  
13  
14 correspondence, the first thing that I need to explain  
15 to you my -- the description of my occupation and what's  
16 my role in the community.

17 As a community developer in Dodge City,  
18 Kansas, I'm -- I'm in charge with the duties of working  
19 with the community and seeing that services are provided  
20 to, not only just to Mexican-American descendants or  
21 people, but to the whole community. At one point, our  
22 ministries was called -- is called -- was registered as  
23 under Mexican-American Ministries because there was some  
24 injustice in -- there was concern by the Methodist  
25 Church that -- to see that life -- qualify of life --  
26 will be better for Mexican-Americans and that was  
27 directed to the migrant workers.

28 After that, you know, there was a lot of  
29 issues of injustice with immigration and, although there



1 still are some, then we continue providing services for  
2 Mexican-Americans. And later on, in later years, there  
3 was a lot of federal cuts and the church became  
4 concerned, not only with Mexican issues, but with the  
5 whole community issues and so now we serve the whole  
6 population.

7 We have a clinic, we have a food bank, a  
8 clothing bank and we serve anyone and everyone and our  
9 program is very unique, because we don't have certain  
10 rules that will keep us from helping the people. So we  
11 just, if there's something that we could do, we do it  
12 and we work -- network with other organizations, too.  
13 And so we have four offices, one here in Garden City,  
14 one in Ulysses, one in Liberal, and the one in Dodge  
15 City. And, with that, I can start my presentation.

16 During the past ten years in Dodge City  
17 community, we have experienced a rapid growth of  
18 Hispanic population and, before, this fact was sort of  
19 in the back of the people's mind, but now it really has  
20 hit them on their face. So this fact can no longer be  
21 ignored.

22 Some of the non-Hispanic residents get  
23 extremely uncomfortable and intolerant when Hispanics  
24 are visible in their community and they're talking  
25 Spanish, especially, in the grocery stores, the

1 hospital, the post office, the schools, the city parks,  
2 the place of employment, church, and any other place. A  
3 mistakable remark is always why they don't learn to  
4 speak English, they're living now in the U. S.

5 Our community was not prepared for this  
6 impact and is still in a state of shock and from this we  
7 are still suffering through the growing pains of this  
8 Hispanic population and the results are bad  
9 communications, misunderstanding of cultures, and the  
10 fear of loosing power and control, that it can no longer  
11 be shared with others.

12 The recent Hispanic residents are younger  
13 than the previous immigrants of the past generations and  
14 are not as highly segregated as they were from the  
15 railroad era. They are blamed for the effect of our  
16 over-crowded schools that we have experienced and -- and  
17 the racial imbalance that we have in the school system  
18 right no.

19 Hispanic students' drop out is very high.  
20 It's one of the highest in the state. Hispanic leaders  
21 are working side by side with the city, the county, the  
22 Police Department, educational system, businesses,  
23 community leaders in searching for ways to communicate  
24 and find solutions to the problems in our community.

25 Our combined efforts includes establishment

1 of a Human Relations Commission, Hispanic leadership and  
2 development programs, a Spanish newspaper, and a few  
3 other programs.

4 We have held workshops, culture celebrations  
5 and events that could help residents to understand the  
6 Hispanic culture, but it seems sometimes that the ones  
7 that needed the most to be involved with us to work  
8 side-by-side refuse to do so.

9 We will continue to work towards better  
10 understanding of culture differences on issues of  
11 discrimination and racial attitudes and injustice and we  
12 are trying as hard as we can. We don't want to be  
13 pointing fingers, you know, because, first, we want to  
14 find a solution as working together side-by-side,  
15 Hispanics and Anglos and not always blame somebody and  
16 not find solutions. We feel that this will be to our  
17 advantage to be working side-by-side to find solutions  
18 and cooperate with each other and, at least, tolerate  
19 each other, than be always saying -- putting blame on  
20 someone else.

21 So, if you want to ask me some questions...

22 CHAIRPERSON ROIJAS: Does anyone have any  
23 questions?

24 DR. SUH: Who support your program?

25 MS. FALCON: The first -- The support that

1 we get is from the Methodist Church. We don't have --  
2 We may have a federal program from time-to-time, like  
3 the distribution of commodities and that and we have to  
4 go by guidelines like that. So we'd like it very much  
5 to continue being sponsored by the Methodist Church  
6 because they allow us to do as much work as we can and  
7 with a very few regulations.

8 We do have boards, we do have reports that  
9 we have to make and different things like that, but,  
10 when it comes to money, we are not limited to who we're  
11 going to give help.

12 MR. NULTON: With regard to the student drop  
13 out situation, what have you found to be the most  
14 effective things to attempt to deal with that problem?

15 MS. FALCON: I think the best thing to do  
16 and to attempt to do -- and it's because we are a poor  
17 district that we don't have the money to get into  
18 special programs that would help the students -- maybe,  
19 some tutoring. Maybe, some special programs for that,  
20 for them, you know.

21 We had tried at the community persons to  
22 work with the community college to have a tutoring  
23 program done by the college programs and in recompense  
24 they will get paid. Instead of the students going to  
25 work at McDonald's or other places, that they can come

1 and work side-by-side with students, especially, the  
2 middle school students, and this program has been  
3 concentrated there and that helps the students very much  
4 because there is a peer working with them. Another  
5 person of their own age. Someone that has gone to  
6 college that is going to give them some encouragement to  
7 continue their education and not drop out.

8 I don't know why the drop out situation. If  
9 it's family or if it's other situations that we're not  
10 aware.

11 MR. ACRE: Excuse me. With your  
12 organization, do you do anything as far as counseling  
13 and working with the students and also with the ESL  
14 program?

15 MS. FALCON: As counseling, I cannot say  
16 that we can provide counseling, because we are not  
17 licensed counselors. We do work with the ESL. I'm on  
18 the board of the ESL committee. Their center is right  
19 across from my office. Right now we established a  
20 program for citizenship and we have quite a few people  
21 obtaining their citizenship and to become American  
22 citizens and, not only that, we are encouraging adults  
23 to continue their education, to obtain some kind of  
24 skills, some kind of training that, when they get hurt  
25 on their jobs on the meat plants, that they will have

1 something that they will have something that they could  
2 be able to get into a job that is paid just as well as  
3 the money that they were earning in the beef plants and  
4 sometimes, if you are not -- if you're not speaking  
5 English, you're not going to find a job there in Dodge  
6 City. The only jobs that you're going to find will be  
7 the meat plants.

8 MR. JENKINS: Several questions.

9 MS. FALCON: Uh huh.

10 MR. JENKINS: If I were a person seeking a  
11 new city to move to and I am taking a look at Dodge  
12 City, you being there for a number of years, how would  
13 you describe Dodge City in terms of race relations and a  
14 person coming into Dodge City?

15 MR. FALCON: Well, I would describe that we  
16 had had our problems, but that we are working with these  
17 problems to make them better. That Hispanic leaders and  
18 community leaders, businesses leaders, the school  
19 system, and all of them are working for the same common  
20 purpose, to better whatever bad relations are in there  
21 and I'm not going to close my eyes and say that we don't  
22 have some that discriminate. We do have some, but we  
23 want to, instead of being negative, we want to be  
24 positive.

25 And I would say that, if you are a person

1 that you come into Dodge City and you want something to  
2 do for the city and you want to get involved, that there  
3 would be a place for you to work for better relations in  
4 race relations in that city.

5 MR. JENKINS: Okay. If I were to press you  
6 just a --

7 MS. FALCON: Even if you were of other race.

8 MR. JENKINS: Right. If I were to say,  
9 okay, tell me three of the major problems, outside of  
10 the drop out problem that minorities face or Hispanics  
11 face in Dodge City, could you enumerate those? And what  
12 has been done to work to alleviate those problems.

13 MS. FALCON: Okay. As a minority or --

14 MR. JENKINS: As a minority.

15 MS. FALCON: As a minority --

16 MR. JENKINS: Uh huh.

17 MS. FALCON: -- if you come to Dodge City?

18 MR. JENKINS: Uh huh.

19 MS. FALCON: As a minority, if you were  
20 Hispanic and you didn't speak English or any other  
21 minority, if you didn't speak English, the difficulty  
22 will be in finding a job and there would be the -- the  
23 only job that you, probably, will find will be in the  
24 beef plant.

25 MR. JENKINS: Uh huh.

1 MS. FALCON: They don't want the grass to go  
2 pot or because of their own interests, you know. I  
3 think that, if you would come to that city and want to  
4 buy a home, then you -- they may tolerate you to live  
5 there, but there's some of the people will sell their  
6 property and move somewheres else if you were not in  
7 with the -- with the neighborhood.

8 MR. JENKINS: Okay.

9 MS. FALCON: And that has happened a lot.

10 MR. JENKINS: Okay. Given that, then you  
11 have a Human Relations Commission Dodge City. Has this  
12 been brought to those commissioners serving on that  
13 Commission? What can be done to dispel the myth or the  
14 fact that everybody wants to live in harmony?

15 MS. FALCON: Well, I don't think this has  
16 brought to the -- to the Commissioners -- to the  
17 Commission. Like I said, you know, we try live in  
18 harmony. We try to find ways that people can be  
19 comfortable living in there, because it's a small  
20 community and the minute you start complaining, they  
21 make it rougher for others.

22 MR. JENKINS: Okay. In terms of --

23 MS. FALCON: It makes it worse, you know. I  
24 have received a hate letter that I got when I got  
25 involved in one situation a couple years ago with County



1 Commissioner Carlson and -- and it -- so sometimes, you  
2 know, you try to solve the problem yourself without  
3 going to this process that it takes long and that in the  
4 end the people feel like they're not going to gain  
5 anything, they're going to lose, you know.

6 The same thing with some of the problems  
7 with jobs, employment. It's the same thing, you know.  
8 So we try to work in-house instead of going outside and  
9 seeking help from the outside and waiting for such a  
10 long time and feeling that you didn't accomplish  
11 anything, you made the situation worse. You made a  
12 worse problem than what it was to begin with and I'm not  
13 saying the Civil Rights Commission is not doing their  
14 job. This is the feeling of the people lots of times  
15 when the -- Most of the -- my -- the most experience  
16 that I have with sending a complaint has been dealing  
17 with -- with jobs. With employment.

18 MR. JENKINS: Two final questions.

19 CHAIRPERSON ROIJAS: Okay.

20 MR. JENKINS: I'm sorry. In this area we're  
21 awfully concerned that persons do not know their rights  
22 on how to file complaints or, really, their rights  
23 concerning employment, fair housing, in the areas of  
24 public discrimination, educational systems, the whole  
25 gamut. In your work with your agency, do you find that

1 persons of color are familiar with their rights; and, if  
2 not, then what can be done to help them gain the  
3 knowledge they need to, in quote, take a look at the  
4 system and to be able to file complaints in a adequate  
5 fashion?

6 MS. FALCON: Well, most of them do not know  
7 because they're new to the community, because they do  
8 not know English. All because they're scared and they  
9 don't facts. The first that -- When you're going to  
10 go and submit a complaint -- you have to have facts,  
11 when, where, and what, you know, and, if those facts are  
12 not there, then you really cannot help them, you know,  
13 and I find out that there has to be a lot of education  
14 and that's one of the things that needs a lot of work.  
15 It --

16 MR. JENKINS: Do you see -- I'm sorry.

17 MS. FALCON: Go ahead.

18 MR. JENKINS: Do you see the need for, let's  
19 say, a federal or state agency to provide the necessary  
20 information to persons in Dodge City so that they will  
21 be able to file complaints, if need be concerning --

22 MS. FALCON: I think so, uh huh.

23 MS. FALCON: One final question.

24 CHAIRPERSON ROIJAS: Uh huh.

25 MR. JENKINS: If you had all power in Garden

1 City and could take a pen with a magic stroke and wipe  
2 away all the adversities in Dodge City, what would be  
3 some of the things that you would do if you had all  
4 power? What recommendations would you make? Or what  
5 pronouncements would you make?

6 MS. FALCON: First of all, I think it's very  
7 important for Hispanics that the only way they would  
8 advance in life would be through education and I would  
9 start with the school system and I'm not saying that the  
10 school system's at fault. I'm just saying that we need  
11 money to build schools. We had just recently built some  
12 schools, but we are already overcrowded. We are  
13 overcrowded in the high school and that's where we need  
14 to go to the next thing. A lot of people in that city  
15 are retirement age. They don't want to be taxed higher  
16 than what they're already taxed.

17 And the next thing will be -- and through  
18 the school system, also -- finding adults through  
19 education, like the community colleges do, but we need  
20 more than that, you know. They need more money. Right  
21 now we need money to rebuild our adult learning center,  
22 which the community college don't have it and we're  
23 working on that.

24 The next thing we will do is try to,  
25 perhaps, have more programs on television to educate

1 both sides, you know. We need to educate in why -- the  
2 why's and what's, you know.

3 Then I will, probably, have some kind of  
4 understanding with the employers, especially, of the  
5 beef plants, you know, and work with the -- with the  
6 employer and the employee.

7 I would also try to help with housing. We  
8 have some really bad places there in Dodge City, you  
9 know, and, although sometime the people doesn't know  
10 their rights, you know, and they just go to housing that  
11 there's really not livable for a human being, you know,  
12 and I would try to see that some kind of law be applied  
13 where people can be treated like human beings and  
14 persons that they are, you know.

15 And the city has tried, has tried to shut  
16 down a mobile home parking and it seems like they reopen  
17 again. The county has tried to clean up its area where  
18 they have trailer homes, you know. The trailer homes  
19 are in an area where they are not paved and, when we  
20 have bad storms, the people couldn't even get out to get  
21 milk for their children or go to the hospital because  
22 they get stuck in the mud, you know.

23 Those situations, you know, are really human  
24 conditions, you know, and they really need to be looked  
25 at, you know, and, although our city officials have

1 tried very hard, sometimes they're -- have not gotten  
2 anywheres, you know.

3 CHAIRPERSON ROIJAS: I would like to ask a  
4 question. Well, there's actually two. One is regarding  
5 employment and that is there is a large Hispanic  
6 population that have been here for generations. They  
7 are English-speaking. In many cases, they're bilingual,  
8 correct?

9 MS. FALCON: Not so.

10 CHAIRPERSON ROIJAS: Not really?

11 MS. FALCON: The third generation was denied  
12 the right to learn their own language, you know.

13 CHAIRPERSON ROIJAS: Okay.

14 MS. FALCON: And so --

15 CHAIRPERSON ROIJAS: So they were denied  
16 their right to --

17 MS. FALCON: There are very few of them that  
18 speak Spanish.

19 CHAIRPERSON ROIJAS: Okay.

20 MS. FALCON: Not that many.

21 CHAIRPERSON ROIJAS: Okay. That answers my  
22 question on the employment.

23 The major question that I have -- Well,  
24 education. The high school drop out rate. Obviously,  
25 something isn't working. Now what causes me confusion,

1 and I wish you would address my concern if you may, I  
2 have found that there are many, many Hispanic people who  
3 are elected to positions. Mayors. Commissioners. This  
4 has been going on for a long time. I don't understand  
5 how Hispanic can be elected to positions and, obviously,  
6 non-Hispanics have to vote for them, but the problems in  
7 the Hispanic are not being addressed.

8 There's a dichotomy here. There's something  
9 that -- There's a contradiction here somewhere.  
10 There's something wrong. I can't put my finger on it.  
11 You have communities, including Dodge City, that elect  
12 Hispanics. So we have Hispanics in power who have the  
13 ability to lead and to develop and implement policy.  
14 Yet, I'm hearing problems that are going unaddressed.  
15 Can you help me with this? It's a puzzle to me. Please  
16 help me.

17 MS. FALCON: I don't know why. They have  
18 tried. They have run for offices and they have not  
19 succeed. We only have one person in the all entire time  
20 that I have lived in that city that served in any ward  
21 and that was Luis Sanchez, that's the city commissioner  
22 and is the mayor, too. But, other than that, I don't  
23 know. Francis, do you remember anybody else?

24 MR. ACRE: There's been a couple of  
25 minorities, but I think Luis, probably, is the only --

1 MS. FALCON: Luis is the only Hispanic?

2 MR. ACRE: -- Hispanic.

3 MS. FALCON: I don't know if it's that their  
4 reluctance is to serve on boards. We try very much,  
5 very hard to encourage Hispanics to come aboard the  
6 school boards, the county-commissioners, and city  
7 commissioners, and it just seems like we are not finding  
8 anybody that is willing or qualified that we would wish  
9 to have, you know, and that's, probably, one of the  
10 things that we need to continue working on that, you  
11 know.

12 And I think what it is, what the situation  
13 is, is our generation is getting older and the new  
14 generation, the younger generations that come in,  
15 they're just barely getting educated, you know, and a  
16 lot of them also have moved away and the older people  
17 just are retired or have their jobs and don't have the  
18 time to do it and don't wish to do it.

19 CHAIRPERSON ROIJAS: What about the  
20 police\community relations? How's that?

21 MS. FALCON: There at times was not -- there  
22 was some communication that we need to do -- we needed  
23 to do, but we have gotten along very good. We have a  
24 group, an organization called La Voz and we meet  
25 monthly with the police, with the Police Department --

1 in fact, we meet there at the Police Department -- and  
2 we meet with the county commissioners, the city manager,  
3 and we meet with the Human Relations Commission. We  
4 meet any business organization, any other organization  
5 in church that want attend -- that wish to attend we  
6 meet with them and this is why we kind of tried to solve  
7 our problems.

8 Perhaps, we don't have somebody sitting in  
9 the county commission or the city commission or the  
10 board or the school board, but this is how we get  
11 together to kind of bring problems and find solutions  
12 for them. So we're doing something.

13 I'm proud of that city. I don't want you to  
14 think that it's a city that you cannot come and live  
15 there and that we have a lots, a lots of problems and  
16 we're just sitting back and not doing nothing, because,  
17 like I said before, it's no use to complain if you're  
18 not going to have the energy to get up and work and  
19 better your community because it's real easy to point  
20 the finger and blame people and -- but sit back and not  
21 find solutions and we strive to continue working hard to  
22 find solutions for our problems because we're, probably,  
23 going to retire there and we, probably -- we have  
24 grandkids there and we're just continuously working to  
25 better the community.



1 CHAIRPERSON ROIJAS: Go ahead.

2 MR. NULTON: With regard to voting, within  
3 the Hispanic community in Dodge, do you have any  
4 difficulty in persuading people to register and to vote?

5 MS. FALCON: Well, people, in general, are  
6 you saying, or Hispanics?

7 MR. NULTON: Within the Hispanic community.

8 MS. FALCON: Within the Hispanic community.  
9 We have had unregistered to vote people and it has been  
10 in the newspaper that you can come and register, you  
11 know, and that's a right, a privilege that you can't  
12 force people to do, you know. That's up to them to do  
13 that, you know, and we have a -- from Chicago there is a  
14 program and, perhaps, some of you are aware with the  
15 voter registration commission that they have that.  
16 Well, we had had -- a couple of years we had had two --  
17 two years in a row we had had people to participate in  
18 this leadership and development workshops that we have  
19 and we go and visit the city, the county, and the school  
20 system to tell us about how those -- how the city works  
21 and how -- how the county and the school system and all  
22 of that and to encourage people to vote and then send  
23 them off to Chicago to energize them, to see what it is  
24 to -- to have power by registering and to vote.

25 So we're making some advances, you know, but

1 it takes time to--- to convince people that they need to  
2 register and -- and to -- and it's very important, not  
3 only just to register and to vote -- that they be  
4 educated and who is the person that is running and to go  
5 visit with them and things like that, you know.

6 I can have a lot of people register and,  
7 maybe, they're not going to vote or, if they vote, they  
8 don't know who they're going to vote for, you know, and  
9 so we have to hold a lot of forums so people have the  
10 opportunity or the people that is running, you know,  
11 locally, if they're running, you know, maybe, state-  
12 wise, you know, invite all those people and we do that,  
13 you know, but there is some difficulty, yes.

14 MR. NULTON: Now, to your knowledge, is  
15 there any indication that -- that pressure is brought  
16 from any forces within the community to try to persuade  
17 people not to register or not to vote?

18 MS. FALCON: No. There's no -- Our  
19 community is really open to -- to give the right to the  
20 people to vote and to register and for that and we  
21 always have -- we have had workshops that we would have  
22 places that people can register to vote in the  
23 community, like Dillon's, Wal-Mart's or the city mall,  
24 and my office, and other places, too.

25 CHAIRPERSON ROIJAS: Francis.

1 MR. ACRE: Mobility seems to be one of the  
2 things that I'm concerned -- Of course, living in  
3 Dodge, I realize a lot of problems that you spoke of.  
4 But we'll get Hispanic and young people, minorities,  
5 involved in some of the communications, some of the  
6 committees and organizations. They will attend a  
7 meeting or two and then they drop out and then they seem  
8 to be moving on. Can you give me any enlightenment as  
9 to why they get in an establishment and then they move  
10 on. Is it working, salary, or -- I know with a couple  
11 of organizations that I have been with we have worked  
12 and got some young people involved and attended  
13 regularly for a couple, three months and then they  
14 dropped out and then we found out that they have moved  
15 on elsewhere.

16 MS. FALCON: Well, probably, could be  
17 family. Could be better opportunity. I really don't  
18 know. I know of one young man that he was very involved  
19 in our community, Rudy Ortiz, and he was at one point --  
20 ran for school board for the elementary 443 district and  
21 he moved on to acquire his master's. So he's -- he's in  
22 Kansas City right now. So that -- And he was very  
23 involved with Big Brother/Big Sisters and he still  
24 continue with that and, from time to time, we get people  
25 like that.

1                   We have John Herrera. He was a principal in  
2 Miller School and so now he's in Kansas City, too. So  
3 you guys from Kansas City are taking all our good  
4 people.

5                   MR. JENKINS: Send them back.

6                   CHAIRPERSON ROIJAS: You're supposed to send  
7 them back.

8                   MR. HERNANDEZ: You mentioned a hate letter  
9 that you received.

10                  MS. FALCON: Uh huh.

11                  MR. HERNANDEZ: Did you take this  
12 information to the post office, to the FBI, or to the  
13 Police Department, the local Police Department?

14                  MS. FALCON: No, I didn't.

15                  MR. HERNANDEZ: Okay. Thank you very much.

16                  CHAIRPERSON ROIJAS: Okay. We thank you  
17 very much for sharing your thoughts with us and for  
18 taking your time and you have provided us with good  
19 information. Thank you.

20                  MS. FALCON: Thank you. I got some of my  
21 pamphlets here. I don't know if you would be interested  
22 and I also was asked that if I give a copy of my  
23 presentation.

24                  CHAIRPERSON ROIJAS: Uh huh. Thank you.

25                  MS. FALCON: Thank you very much.

1 \* \* \* \* \*

2  
3 CHAIRPERSON ROIJAS: Our next presenter is  
4 Joan Lobmeyer from Garden City. Okay. Good morning.

5 MS. LOBMEYER: Good morning.

6 CHAIRPERSON ROIJAS: For the record, please  
7 state your name, address, and occupation.

8 MS. LOBMEYER: Okay. It's Joan Lobmeyer. I  
9 consider myself mostly a mother. My address is 14420  
10 South Road 14. It's out in the middle of the country.

11 CHAIRPERSON ROIJAS: And the city?

12 MS. LOBMEYER: Garden City. I'm sorry.  
13 Garden City, yes.

14 CHAIRPERSON ROIJAS: Okay. Do you have a  
15 statement on the issue of race relations in western  
16 Kansas with reference to your job or community  
17 activities?

18 MS. LOBMEYER: Yes, ma'am.

19 CHAIRPERSON ROIJAS: Okay. Please describe  
20 your concerns regarding race relations in western  
21 Kansas. In your opinion, are there any problems?

22 MS. LOBMEYER: Absolutely. Absolutely.  
23  
24

25 JOAN LOBMEYER

CITIZEN, GARDEN CITY, KANSAS

1  
2  
3  
4 If I may, I want to pretty much limit --  
5 limits it to education, because that's my been my  
6 concern.

7 CHAIRPERSON ROIJAS: Okay.

8 MS. LOBMEYER: And I do have some handouts  
9 so that -- I don't want to read all this -- you can  
10 just glance at those.

11 The first thing I just want to point out  
12 and, of course, this is, as you'll see, a national and a  
13 state problem. I would like, if you don't mind -- Do  
14 you remember this "Nation at Risk" and I think that they  
15 defined the purpose of education better than I've ever  
16 seen it and it says our goal must be to develop the  
17 talents of all to their fullest. Attaining that goal  
18 requires that we expect and assist all students to work  
19 to the limits of their capabilities.

20 One of the reasons that I like to look at  
21 ACT tests is because you choose to take the ACT test.  
22 You choose to take it because you want to go to college  
23 and, because you pay to take that test, you do your very  
24 best.

25 And you might just look at -- look at 1995's  
26 results for our Mexican-American-Chicano people and I'm  
27 taking these -- Actually, they had caucasian in the

1 booklet, but I prefer Anglo, because, let's face it,  
2 most of our American -- Mexican-American are a good deal  
3 caucasian, too, you know. So I used Anglo for that and  
4 the Asian, but, if you look at those in comparison with  
5 the Anglo, it's a very sad commentary on what our school  
6 system is doing. What's happening?

7 I have pointed this out over the years to  
8 the school board. I've said something is wrong and  
9 something definitely is. And, over the years, I've  
10 written a lot of letters to the editor with concerns of  
11 mine. So, because of that, a lot of people call me and  
12 they're scared to speak up. I've been called by parents  
13 who say that their children have not been allowed to  
14 enroll in certain classes because the teacher doesn't  
15 want them there.

16 There was one young man -- and I believe  
17 this young man was student body president -- who showed  
18 up in an AP class and the teacher said what are you  
19 doing here and he said I'm enrolling and she said, no,  
20 you aren't. He said, yes, I am. She said, no, you are  
21 not. And he left.

22 I don't know if that's still going on. I  
23 really don't. That teacher has retired. But the point  
24 is that so much of this has gone on and people have  
25 allowed it.

1                   And I -- In my estimation, the main goal  
2 of our high school is to have a winning football team  
3 and, you know, if you're a minority student and you play  
4 football well, I think then you are considered a  
5 valuable student; but, if you're not, I think you're  
6 pretty much ignored.

7                   Some years ago I did a study -- I think,  
8 maybe, three years ago -- and, because of several phone  
9 calls I'd gotten, my question was, if a minority student  
10 and a caucasian student, a white student, Anglo, however  
11 you want to say, are involved in an altercation, are  
12 they given the same discipline and my results were no.  
13 It's much more likely that the minority student will be  
14 suspended, out of school or in school, than the -- that  
15 the non-minority student.

16                   And, interestingly enough, after I did this  
17 and I took it to the then superintendent and assistant  
18 superintendent, they finally agreed, because we had an  
19 excellent -- you talk about Hispanic representative --  
20 at that time we had a very excellent Hispanic  
21 representative on the board, a brilliant man who was  
22 defeated when he ran again, but it was not much wonder  
23 because The Garden City Telegram was on his case all the  
24 time. They did everything they could to defame this  
25 man.



1 At any rate, when they presented this the  
2 superintendent and the assistant superintendent said now  
3 we have come across this, we've studied this, and we  
4 want to present this to you. Well, folks, they hadn't  
5 done a thing to look into it. I don't think anyone has  
6 done any follow up on it. I mean the evidence is clear  
7 that there is discrimination, but I've not seen it ever  
8 done again. I did it the one year. You know, the  
9 study.

10 And the thing is, if you suspend a child  
11 from class, as they here so often, and then you say to  
12 this student you must do your work, but you're not going  
13 to get any credit for it, what does that do to the  
14 student's morale? What does that do to the morale of  
15 the rest of the class when the student returns and  
16 doesn't know, you know, what's being talked about?

17 And, yes, we have a -- indeed -- we have a  
18 severe drop out rate. If you looked just -- I just  
19 have this in my files, but look at the minority rates.  
20 Abe Hubert is a middle school. Kenneth Henderson is a  
21 middle school. And then the high school. And you'll  
22 see that the minority rates in the high school drop off  
23 considerably as compared with the middle school. Well,  
24 the reason is, of course, is because those kids are  
25 dropping out.

1                   Some years ago we had an employee in this  
2 district who did a very intensive survey and I think it  
3 was a 37% drop out rate and it was -- it was, obviously,  
4 a very severe problem with minorities dropping out.  
5 This lady has since left the district and they didn't --  
6 they didn't rehire her position, because I don't think  
7 this district is interested in gathering the facts that  
8 they need to determine is, you know, are there problems.  
9 We'd rather hire somebody and pay them a lot of money to  
10 say, you know, you are doing a great job here and, trust  
11 me, if you pay someone enough money, that's exactly what  
12 they're going to come in and say because they want to  
13 come again. They want, you know -- And so that's what  
14 I see.

15                   I want to also share with you these  
16 strategic planning goals. I think it was -- well,  
17 you'll see the date on it -- three years ago and you  
18 talked about, you know, having minority people on  
19 committees.

20                   This Strategic Planning Committee was one  
21 that involved a great many members of the community. We  
22 had a great many minorities represented on this and we  
23 came up with these planning goals and I want you to look  
24 at Objective No. 5 and it says we will reduce the  
25 cumulative drop out rate to 10% without measurable

1 disparity among ethnic populations and I was on that  
2 action committee. Again, we had several Hispanic  
3 people. I think -- I don't think that we had any other  
4 minorities represented.

5 But we came up with several plans in order  
6 to make this drop out rate lower. We presented it to  
7 the school board. As far as I knew, they accepted it,  
8 but nothing has ever been done.

9 One of the things that we wanted,  
10 particularly, was an ombudsman -- I think I pronounced  
11 that wrong -- that -- you know, so that people who are  
12 afraid to talk to the administration could talk to this  
13 person and some of these problems could be resolved,  
14 because in this district I think one of the main  
15 concerns that I've had is there's no confidentiality.  
16 You know, if you go to a principal with a concern, the  
17 teacher's going to be called in. The teacher is going  
18 to be told who has made the complaint and the child is  
19 going to suffer. You know, after a while, you just --  
20 you give up. You say, no, it's not worth it, it's just  
21 not worth it.

22 So, at any rate, this strategic -- and I  
23 might just say that during this strategic planning, they  
24 hired a consultant for \$1,500.00 a day at a time when  
25 our kids didn't even textbooks and, even though they

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thought it was so important, except for the things that I think that the objectives that they already had predetermined, none of the others have been -- have been implemented. For instance, we will recruit, place, and retain staff in their areas of expertise. We still hire coaches first and teachers last.

We talked at that time about hiring minority people and the concern that they express always is we can't find anyone qualified. We cannot find -- Why, you know, if we could find someone qualified, we'd hire them in a minute.

I don't even remember how many years ago -- and, by the way, I've nine children -- had nine children. My ninth is a senior at Garden City High School right now. And when I -- I think I had three kids at Plymel at the time. We had the best principal I have ever encountered. His name was Dr. Jerry Lewis. He had come here as head of the bilingual program, but he wanted to get into -- because he really liked kids. He loved working with kids and he wanted to be a full-time principal. So they hired him half-time at our little country school and then he was half-time bilingual. And this is really funny, because, the day Jerry told me that he was leaving -- Dr. McIntire, remember, in Wichita many years ago, had said, Jerry,

1 how will you as a minority person relate to the non-  
2 minority people in this district. And, you know, that  
3 was the first time I knew Jerry -- I mean I never -- I  
4 didn't know he was minority. I mean I never thought of  
5 him that way. He was from Nicaragua. He had his  
6 doctorate. Wichita hired him and has kept him. There  
7 were two openings that he applied for and neither one of  
8 them was given to him and, believe me, the two people  
9 who got those did not have their doctorates. So I  
10 disagree.

11                   Some years ago we had a Hispanic man who was  
12 Director of Special Education. When he left and they  
13 hired someone else, a Anglo female, she was given a  
14 \$14,000.00 raise. You wonder how could someone be worth  
15 \$14,000.00 more for doing the same job. And, had they  
16 offered this gentleman a raise of even a lower amount,  
17 would he have wanted to stay?

18                   And then -- I don't -- Would somebody tell  
19 me when my time is up? Because, you know, I could talk  
20 forever.

21                   I wanted to also -- These are just some  
22 facts, too, about special education. You know, I don't  
23 believe that minority students do not fall in the gifted  
24 range. I just don't believe that. I don't believe that  
25 they're being screened. I don't believe that they're

1 being identified. And I just want you to take a look at  
2 this.

3 For instance, at the high schools of 50  
4 identified gifted students, 1.8% are minority students.  
5 Folks, that's a crime. That is an absolute crime. But  
6 then you look and you see we don't have any trouble at  
7 all identifying them for the other special education  
8 programs. Why is that? I don't know. I could give you  
9 an example. For instance, I asked for one of my  
10 children to be tested and he was found not to be gifted  
11 and then the next year, when the teacher requested, he  
12 was found to be gifted. I don't know, you know, what  
13 changed there, except that the person requesting  
14 changed.

15 And then I just -- just as a way of showing  
16 you what I consider to be this severe drop out rate, you  
17 see in 1992 there were 1,668 students in the three  
18 middle school grades. Then we go to 1993. There were  
19 less students than that in the four high school grades.  
20 So that's -- that gives you some indication of the drop  
21 out problem in that school. I mean you don't have to  
22 look very far. It's there and -- and it just keeps  
23 increasing.

24 And the other thing that I wanted you to  
25 look at -- I passed out the paper, did I -- okay -- is

1 some years ago you, probably, are aware that the Ford  
2 Foundation did a study here and they made several  
3 recommendations and one of their recommendations was to  
4 have a soccer team at the high school and, boy, we  
5 really complied. We got a soccer team at the high  
6 school. When my son, who's at K State now, was on that  
7 team, the athletic field had sandburs in it and so they  
8 moved the soccer team on this practice field and, you  
9 know, moved the football team there and they had to --  
10 to look for theirs. There's a soccer field up on public  
11 land at Kenneth Henderson right now and, interestingly  
12 enough, although this is not a community that,  
13 supposedly, Spanish is the major language, the warning  
14 there not to use that, the first is in Spanish and then  
15 the English translation below. I find that rather  
16 interesting and ironic.

17 But, anyway, I just wanted you to know that  
18 the -- and this is taken from the budget this year --  
19 and the athletic director, who happens to be the  
20 football coach, you can see what his budget amounts to  
21 and what his cut was. The athletic training, which,  
22 again, goes mostly to football, you can see what its  
23 budget is. You can see what the football budget is.  
24 And then you can see what the soccer budget is. And I  
25 just ask you what priority is there.

1                   And, you know, we can -- we can say, well,  
 2 we're trying, and they'll tell you that we're trying,  
 3 you know, we've got -- but, you know, the time has  
 4 stopped for trying. We have to get real and it's so  
 5 important to educate these kids, you know, and I  
 6 disagree. Of course, they're able, you know; but, if  
 7 you kick them out of class, you know, if you keep them  
 8 from learning, what's going to happen? They're going to  
 9 drop out and that's precisely, I think, what happens,  
 10 why we have such a drop out.

11                   And so that's mostly what I wanted to point  
 12 out to you. You know, just concerns that I have.

13                   CHAIRPERSON ROIJAS: Thank you very, very  
 14 much.

15                   MS. LOBMEYER: Oh, you're welcome.

16                   CHAIRPERSON ROIJAS: One question. Again,  
 17 I'm going to ask the same question.

18                   MS. LOBMEYER: Okay.

19                   CHAIRPERSON ROIJAS: There's something  
 20 wrong. I'm -- I'm having trouble with the picture.

21                   MS. LOBMEYER: Uh huh.

22                   CHAIRPERSON ROIJAS: There are Hispanics who  
 23 are elected readily --

24                   MS. LOBMEYER: Uh huh.

25                   CHAIRPERSON ROIJAS: -- in this community.



1 MS. LOBMEYER: Uh huh; uh huh.

2 CHAIRPERSON ROIJAS: From the top positions  
3 down.

4 MS. LOBMEYER: Uh huh. You are right.

5 CHAIRPERSON ROIJAS: What is wrong with this  
6 picture if the community elects Hispanics, yet, the  
7 Hispanics, from everything that I'm listening to last  
8 night and today that, particularly, in high schools, you  
9 just mentioned this where they have -- and we've heard  
10 the problems about translation -- yet, when it's  
11 necessary to say keep out --

12 MS. LOBMEYER: Uh huh.

13 CHAIRPERSON ROIJAS: -- the first thing  
14 that's done in Spanish --

15 MS. LOBMEYER: Uh huh.

16 CHAIRPERSON ROIJAS: -- how is it that a  
17 community that can elect Hispanics, yet things don't  
18 seem to be improving?

19 MS. LOBMEYER: Okay. Well, let me talk to  
20 you. For instance, when one Hispanic ran for his school  
21 board, I was his treasurer, and he was elected. The  
22 first year he ran, he wasn't elected; but the second  
23 time he ran, he was elected. But he quit in utter  
24 frustration because it seemed like every question he was  
25 asked he was stonewalled, you know. He was made to feel

1 like, you know, like he asked too many questions and he  
 2 said, Joan, I can't make a difference, I just can't, and  
 3 I have more to do with my time. Now this man, likewise,  
 4 had a doctorate, you know. Here's a brilliant man.  
 5 You'd think they would want him, you know. But the fact  
 6 is that there are certain questions that you ask that no  
 7 one is going to answer. They don't want the public to  
 8 know, I don't think, you know, and so he quit in  
 9 frustration.

10 This other gentleman that I mentioned to  
 11 you, another brilliant Hispanic man, interestingly  
 12 enough, when -- when someone resigned, he offered --  
 13 he'd been defeated, as I said -- he offered to take over  
 14 and they didn't select him, although he had all the  
 15 knowledge. But when someone just the other day -- not  
 16 the other day, but within the past few months --  
 17 resigned, they took a current board member because he  
 18 would know. You see, to me that's a real -- I love your  
 19 word dichotomy. That's a dichotomy. It is. Because  
 20 the -- And the man, the gentleman, who is on the school  
 21 board now, the Hispanic representative is often missing  
 22 because of his job. So I'm not sure that he always  
 23 knows what's going on.

24 And I think this is, you know, what I call  
 25 tokenism, you know. Sure, they'll elect someone, but

1 they won't -- Will they elect a majority? Will they  
2 answer the questions that need to be answered?

3 You know, I -- I really -- this sort of  
4 what I -- maybe, I should call it boot licking -- And  
5 another thing I might mention, when we some years ago,  
6 maybe, three, we had a committee for a high school  
7 principal and one of the -- one of the -- what do I want  
8 to say -- one of the candidates was a Hispanic man who  
9 had applied for the position of associate principal the  
10 year before and had not even been granted an interview.  
11 Not even a --

12 I mean the thing is that -- that, you know,  
13 to have one Hispanic or one Vietnamese person when our  
14 town is like, at least, what, probably, 40% minority  
15 now, you know. They don't have the representation. I  
16 mean one person, say, out of seven on a -- a board can  
17 do very little, you know.

18 MR. JENKINS: You've relayed quite a few  
19 concerns from the educational community. One of the  
20 things that we're looking at deals with the question of  
21 whether or not persons know the right buttons to push,  
22 whether or not you know what agency or agencies to  
23 complain to in terms of the feds or to state agencies.  
24 With these concerns from yourself and, perhaps, other  
25 members of the Hispanic community, have you sought

1 outside assistance to redress some of your concerns?

2 MS. LOBMEYER: Have I personally? No.

3 MR. JENKINS: Or do you have any knowledge  
4 of other persons within the Hispanic community who are  
5 concerned about the drop out/push out rate or the like  
6 of representation in the -- in the gifted program or the  
7 over-representation in the special education programs  
8 seeking assistance from the federal civil rights family  
9 in terms of these complaints?

10 MS. LOBMEYER: No, sir, I don't. What I see  
11 are people who are, I guess I'd say, frightened to ask  
12 questions for fear that their children will suffer even  
13 more.

14 MR. JENKINS: Uh huh.

15 MS. LOBMEYER: You know, because it happens.  
16 I can tell you from my own kids. It happens. If you  
17 speak out, you know, they have a ready target in your  
18 children.

19 MR. JENKINS: If there were a representative  
20 from, let's say, the U. S. Department of Education,  
21 Office of Civil Rights, available to talk to, would you  
22 have citizens or Hispanics or other whites or other  
23 persons who want to talk to the person to make  
24 complaints known?

25 MS. LOBMEYER: You know, that's very hard to

1 say, because I've, like I said, I've gotten a lot of  
2 phone calls and I remember one gentleman who called me  
3 and I said, you know, why don't you go to the school  
4 board and make this known, and he said I just can't, you  
5 know, something will happen to my child. And I think  
6 he's right. I wish that weren't so.

7 MR. JENKINS: Right.

8 MS. LOBMEYER: And, see, how -- how does  
9 even the Department of Education do something in  
10 confidence so that the child doesn't ultimately suffer?  
11 I don't know.

12 MR. JENKINS: Well, what type of counsel,  
13 for instance, would happen to the -- to the child?

14 MS. LOBMEYER: Oh, it's --

15 MR. JENKINS: Bad grades or what?

16 MS. LOBMEYER: Well, you can suspend them.  
17 I mean, you know, for instance, my son got sent to the  
18 office this year because his key ring had -- he's a  
19 drummer. He had his, you know, his drum key on it and  
20 his hearing protectors and they said it was a dangerous  
21 weapon. I mean there's little things you can do. Yeah,  
22 you can -- you can do grades. There's a lot of  
23 consequences and I think that, maybe, the fear is the  
24 greatest burden of all. For instance, my son has a fun  
25 center here and we have one young man, a Hispanic

1 employee that we just love, and he said -- has told me  
2 when I've -- and I've spent a lot of time visiting with  
3 him -- that he is judged on the basis of what his  
4 brothers done, you know. I mean he said, you know, I  
5 don't even have a chance; they just, you know, assume  
6 that, because my brothers have misbehaved, I will, too,  
7 you know. And they're just -- they're just harsh with  
8 him. And I'm just praying that he will stay because  
9 he's just a jewel, you know. He's, probably, our best  
10 employee, but, again, you know --

11 And I've said this before, folks, that,  
12 during the war, the people who were incarcerated were  
13 not the Germans, whom we couldn't identify, but the  
14 Japanese, whom we could.

15 You know, if somebody is different, you  
16 know, and --

17 CHAIRPERSON ROIJAS: Good point.

18 MS. LOBMEYER: -- and there's a lot of  
19 subtle things that people can do.

20 CHAIRPERSON ROIJAS: Good point.

21 MS. LOBMEYER: And I disagree that there are  
22 not minority people who are fully qualified to teach in  
23 this school system. I disagree to the utmost and I  
24 think that, you know, that when you're -- when you are  
25 in a real minority, you know, and, again, you know, if

1 you're a teacher and you're just a -- then everybody is  
2 looking at you, you can't represent whole culture, you  
3 know. You're yourself.

4 And, you know, I just think -- Well, I  
5 don't what to think, but I just -- I see all these  
6 problems and I see people say these things and I don't  
7 believe them. I just don't believe them.

8 MR. JENKINS: One of the things that the  
9 Committee has learned over the years in conducting  
10 community forums like this it's good that we can listen  
11 to citizens who come before us, but, in order to take  
12 any type of action, we need persons to come forward to  
13 file with the appropriate federal agencies complaints of  
14 discrimination are concerned and that's one of the  
15 things that the Committee wants to do is to be able to  
16 provide information to the general community on how to  
17 file complaints and where to place the pressure, but  
18 that, again, will come out through the Committee's  
19 written report, but we also have representatives in from  
20 several federal agencies who will be with us this  
21 morning to discuss how to file complaints and this type  
22 of information. So you should be able to take that back  
23 to the community. But, again, the important thing is to  
24 be -- to be in a position to file a complaint.

25 MS. LOBMEYER: Uh huh.

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CHAIRPERSON ROIJAS: And, with that, we  
thank you very, very much --

MS. LOBMEYER: Sure.

CHAIRPERSON ROIJAS: -- for your  
information. We appreciate your statistics and we will  
be studying those very closely.

MS. LOBMEYER: Okay. Thank you.

CHAIRPERSON ROIJAS: They do tell a story.  
Thank you.

\* \* \* \* \*

CHAIRPERSON ROIJAS: Our next presenter is  
James Weston, Equal Opportunity Specialist. For the  
record, please state your name, address, and occupation.

MR. WESTON: My name is James Weston. I'm  
an Equal Opportunity Specialist for the Office for Civil  
Rights, which is part of the Department of Education.  
The address of the agency os 10220 North Executive Hills  
Boulevard, Eighth Floor, Kansas City, Missouri 64153.



1 JAMES WESTON

2 EQUAL OPPORTUNITY SPECIALIST,  
3 OFFICE FOR CIVIL RIGHTS  
4

5  
6 The agency I work for, Office for Civil  
7 Rights, enforces five federal civil rights statutes that  
8 prohibit discrimination in programs and activities that  
9 receive federal financial assistance from the Department  
10 of Education.

11 The first law that we deal with is -- and  
12 regulation -- is Title VI of the Civil Rights Acts of  
13 1964, which relates to discrimination charges of race,  
14 color, and national origin. I will be giving examples  
15 of the kind of cases we deal with a little later on.

16 We also deal with Title IX of the education  
17 amendments of 1972, which relates to sex. Examples of  
18 issues that deal with relating to Title IX is like equal  
19 opportunity in athletics for boys and girls.

20 Another law that we deal with is Section 504  
21 of the Rehabilitation Act of 1973 and we also are  
22 involved in the American Disabilities Act. Issues that  
23 we deal with relating to those issues are accessibility.  
24 A new disability that has come up in the last several  
25 years is attention deficit disorder and another issue is  
26 free appropriate public education.

27 And we also do have jurisdiction over the

1 Age Discrimination Act of 1975.

2 We, essentially, deal with institutions and  
3 agencies, such as state educational agencies, elementary  
4 and secondary schools, colleges, universities,  
5 vocational schools, vocational rehabilitation agencies,  
6 libraries and museums.

7 We, essentially, have three ways of doing  
8 our job. One is complaints. One is compliance reviews.  
9 And the last one is technical assistance.

10 I'll begin by dealing with the issue of  
11 complaints. At least, 60 to 80% of our job is relating  
12 to complaints and -- or most of our job at one time was  
13 relating to complaints, and I want to give five basic  
14 characteristics of what a complaint has to have before  
15 we can actually do anything about it. No. 1, it has to  
16 be written and it has to be signed. You can't believe  
17 how many complaints we get in the office where they  
18 actually tell us something, but fail to sign it.

19 Secondly, it has to describe a way to  
20 contact the complainant.

21 It has to identify the person or entity or  
22 group that is being injured by the alleged  
23 discrimination.

24 Number four, it must identify the person or  
25 institution alleged to have done the discrimination.

1 And, lastly, it must provide sufficient  
2 information to understand the factual basis for the  
3 complainant's belief that discrimination has occurred  
4 and when that discrimination had occurred. Basically,  
5 what that means is why is it race? The action occurred.  
6 Why do you feel it's based on race or sex or disability  
7 or whatever the issue is?

8 Now those are -- That, basically, describe  
9 what is necessary for us to look at a complaint.

10 One other point that, of course, is  
11 important, is that the entity involved must receive  
12 federal financial assistance from the Department of  
13 Education. Schools and universities, predominantly,  
14 receive funds, so that's not, usually, an issue, but  
15 some private schools do not. So that is a factor that  
16 has to be taken into account.

17 Several years ago, the agency shifted --  
18 shifted its focus in terms of how we do business in  
19 terms of complaints and, basically, what I'm talking  
20 about is that, when I first got to the agency in 1978,  
21 we, essentially, took anything that came into the office  
22 and investigated it and we had to come to some kind of  
23 finding as to the status of whether it was true or not  
24 true and find a violation or no violation.

25 Several years ago we shifted focus and we

1 now have the ability to not to go into what is -- we  
2 call resolution. We can get the complaint. We can,  
3 once we determine it's complete and that we have  
4 jurisdiction, then we can call the institution involved  
5 and say, instead of investigating it, let's resolve it  
6 and most of the cases that we currently have are being  
7 resolved before we actually do the investigation and  
8 make findings.

9 Another issue that we deal with or another  
10 area of doing our job is what is known as compliance  
11 reviews. The traditional compliance review that we have  
12 done in the past, many times, would take close to a year  
13 before we actually made the findings, once we did the  
14 investigation.

15 One difference between compliance reviews  
16 and complaints is we decide what institution to look at  
17 and what issue to look at.

18 We have a new approach that I want to  
19 mention very briefly and that is related to compliance  
20 review. Region 7, in Kansas City, is planning on doing  
21 approximately 20 compliance reviews in this -- using  
22 this new approach. We call it profile assessment and  
23 resolution reviews. Essentially, we have done one up to  
24 this point and we're planning on doing, at least, 20.

25 It's similar to the previous compliance

1 reviews in that it does contain a data request.

2 However, it also contains a very -- a number of pages  
3 relating to the requirements of the issue that is being  
4 dealt with.

5 It also provides the school district  
6 involved an assessment guide that they can do  
7 themselves. A self-assessment guide relating to a lot  
8 of questions on the particular issue and I think the  
9 major difference between what we -- the current approach  
10 and the old approach is we will be giving immediate  
11 feed-back. Instead of waiting a long period of time  
12 before we send them findings, we will ask them -- we  
13 will tell them, if the investigation begins on Monday,  
14 we will let them know, either Friday or the following  
15 Friday our suggestions on how they can correct the  
16 situation.

17 The four issues that we will be looking at  
18 relating to this issue, one of them is educational  
19 opportunity in advanced educational programs, which,  
20 basically, means any program where a screening process  
21 is used to get in. Like gifted and talented, mainly.  
22 Any kind of advanced program where you have to -- you  
23 have a screening process of some kind to get in.

24 Another issue that we look at is discipline,  
25 racial harassment and hostile environment.

1 Another issue we're going to be looking at  
2 is minorities in special education, which, basically,  
3 deals with the issue of whether or not there is over-  
4 representation in the special education program.

5 And another issue we're looking at -- and  
6 this is the area that I'm the most knowledgeable of --  
7 and that is educational services for limited English  
8 proficient students.

9 Okay, those are, basically, what I wanted to  
10 say about what our agency does. One last thing we can  
11 also do is we can also do technical assistance, which  
12 would be similar to what I'm doing today or, also, we  
13 can do some, you know, speaking. I believe I was in  
14 Liberal last -- last year, relating to the issue of  
15 limited English proficient students where a lot of  
16 schools in the area came. So we do do technical  
17 assistance on some issues.

18 The last thing I want to mention is on the  
19 back table I put out complaint forms that people can  
20 take, if they want to on how to -- which, basically,  
21 they can use to file complaints. Also, the last three  
22 issues I mentioned, discipline, racial harassment,  
23 hostile environment, minorities in special education,  
24 and educational service to limited English proficient  
25 students is also the approach and the -- what I call the

1 PAR documents, which contains the general overview of  
2 what the new reviews are going to be like and then it  
3 also contains the legal requirements of the issues  
4 involved and the assessment guide for the last three  
5 issues I mentioned. Anybody that wishes to can take one  
6 of those.

7 And that's, basically, what we can do to  
8 help the community.

9 CHAIRPERSON ROIJAS: Any questions?

10 DR. SUH: Where are these complaints coming  
11 the most? From universities or grade schools?

12 MR. WESTON: We get more complaints from  
13 elementary and secondary schools than anything else and  
14 over half the complaints are in the area of  
15 disabilities.

16 MR. HERNANDEZ: How many complaints have you  
17 received from -- formal complaints -- from western  
18 Kansas?

19 MR. WESTON: I -- I really can't answer  
20 that question. I don't know.

21 CHAIRPERSON ROIJAS: Have you received  
22 complaints from western Kansas?

23 MR. WESTON: I would have to say we have,  
24 probably, received some, but I really couldn't give you  
25 a figure or tell you what the issues are that was being

1 complained about.

2 We are going to be doing two PAR reviews in  
3 western Kansas related to limited English proficient  
4 students. One in January and one in March.

5 MR. ACRE: Where will those be held?

6 MR. WESTON: Dodge City and Garden City and  
7 they have already been -- they've already -- The only  
8 reason I can tell you is because they already know about  
9 it.

10 CHAIRPERSON ROIJAS: Okay.

11 MR. WESTON: Otherwise, I couldn't tell you.

12 MR. JENKINS: Right. Right.

13 CHAIRPERSON ROIJAS: Any other questions?

14 MR. NULTON: With regard to the  
15 confidentiality of the complainant, could you tell us  
16 what --

17 MR. WESTON: Okay. Here, what, basically,  
18 what we -- the only way we can provide confidentiality  
19 at this point is, first of all, for us to accept the  
20 complaint and investigate it, they must sign a consent  
21 form that we can give their name out. I don't normally  
22 do that in an investigation, but I, you know, if I'm  
23 forced to, I can't do the investigation without the  
24 consent.

25 The only exception to that would be if we're



1 dealing with a class issue. Limited English proficient  
2 students is a class issue. Discipline relating to over-  
3 suspensions or expulsions would be a class issue. Class  
4 issues we don't need consent, because we're looking at a  
5 whole bunch of files. We're looking at a whole bunch of  
6 information that doesn't pinpoint one person, but, if  
7 we're looking at like a special education situation,  
8 where we're, usually, looking at one student and their  
9 file, everybody in the school district's going to know.  
10 Either somebody involved in that child filed a complaint  
11 and, basically, confidentiality is a problem, but we're  
12 obligated by law to require consent. So in many, many  
13 instances there is no confidentiality in actuality.

14 MR. NULTON: You were present for the  
15 previous presenter, were you not?

16 MR. WESTON: Yes.

17 MR. NULTON: Of the allegations that this  
18 presenter raised, could you tell us as to whether  
19 confidentiality would extend to -- I don't know if you  
20 recall all of them that were raised, but --

21 MR. WESTON: Well, if we would do a -- a  
22 discipline, you know, a compliance review for a -- The  
23 basic problem of confidentiality comes in whether you're  
24 looking at a series of incidents, like all suspensions  
25 versus one suspension. If you're looking at one

1 suspension, it's pretty hard to say or to explain to the  
2 district, well, we're only looking at this one  
3 suspension, but, you know, we're not saying that that  
4 person filed the complaint. That kind of -- It's  
5 pretty obvious --

6 MR. NULTON: Surely.

7 MR. WESTON: -- when we're looking at one  
8 incident the people involved, probably, were involved in  
9 filing the complaint.

10 MR. NULTON: But could not the complainant  
11 raise it in class terms?

12 MR. WESTON: Yes.

13 MR. NULTON: So as to avoid --

14 MR. WESTON: Yes.

15 MR. NULTON: -- disclosure?

16 MR. WESTON: Yes.

17 MR. NULTON: All right. Obviously, on more  
18 in special ed from minorities could be a class type --

19 MR. WESTON: Right.

20 MR. NULTON: -- of confidentiality  
21 protection there.

22 MR. WESTON: Correct.

23 MR. NULTON: As far as fewer in the gifted,  
24 again, class claim?

25 MR. WESTON: Right.

1 MR. NULTON: What -- Because a reoccurring  
2 concern that has been expressed to this Committee has  
3 been the matter of drop outs and a disparate number  
4 among the minority ethnic groups --

5 MR. WESTON: Uh huh.

6 MR. NULTON: -- can that, conceivably, be  
7 grist for your mill?

8 MR. WESTON: We could, possibly, you know,  
9 if we got an -- Okay. As an investigator, one of the  
10 difficulties that I would have in dealing with a  
11 question of drop outs is, you know, where do you start  
12 to look at. I mean I'm not sure where to actually, you  
13 know, pinpoint something to actually investigate in  
14 terms of, you know, I mean it's easy for me to look at  
15 the, you know, the limited English proficient student  
16 issue, because I know how to -- how to codify it and so  
17 on. We could do a compliance review where we would most  
18 likely look at the issues like, you know, racial  
19 harassment, over-inclusion in special education, the  
20 limited English proficient program isn't very good,  
21 therefore, the students don't speak the language,  
22 therefore, there's no reason for them to go to school,  
23 which might end up causing them to drop out.

24 It would have to do -- drop out rate, alone,  
25 we would have to look at a lot of issues related to what

1 may cause drop outs. I mean we couldn't just -- we  
2 couldn't just look at drop out itself, because it would  
3 be difficult to put a handle on what you, actually, are  
4 going to look at.

5 MR. JENKINS: But you could take a look at  
6 the bigger picture -- the big picture and from that deal  
7 with the drop out situation --

8 MR. WESTON: Correct.

9 MR. JENKINS: -- as opposed to just a drop  
10 out first?

11 MR. WESTON: Right.

12 MR. JENKINS: Okay.

13 MR. NULTON: Would a member of this  
14 Committee have standing to file a complaint?

15 MR. WESTON: Yes.

16 MR. NULTON: Even though we were not a  
17 patron of a particular district?

18 MR. WESTON: Okay. When I first got to --  
19 When I first got to OCR, I would have to say that  
20 anybody could file a complaint any where in the United  
21 States and we didn't care what the issue was or whether  
22 or not you had any evidence to indicate you were telling  
23 the truth. That is no longer the case.

24 The biggest problem you would face is you  
25 would have to come up with some kind of a factual basis

1 to convince us that you know something is going on. I  
2 mean you have evidence of some kind that discrimination  
3 is occurring.

4 I'll give an example of what I'm talking  
5 about. A number of years ago a complainant wrote in  
6 with a newspaper article as a factual basis. They had  
7 no -- They had no students in the school. They just  
8 read the newspaper article, sent us the newspaper  
9 article, and we opened an investigation. We would no  
10 longer do that.

11 A lot of it -- From a -- From my  
12 perspective the real issue is resources. I mean, you  
13 know, the government is, you know, we're kind of  
14 downsizing. Our particular agency is going -- we're  
15 going into the team concept and so we're kind of  
16 restricting ourselves in a sense as to, you know, what  
17 is the factual basis for the complaint. There has to be  
18 some evidence. You, as a person filing, would have to  
19 have some evidence indicating that a problem exists of  
20 some kind for us to look at it, but, yes, you could  
21 file.

22 DR. SUH: Sir, you heard Mrs. Joan  
23 Lobmeyer's complaint this morning, right?

24 MR. WESTON: Uh huh.

25 DR. SUH: Is there any way you can help her?

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MR. WESTON: I will -- I'm planning on talking to her after -- when we have a break. So there are a number of issues she raised that we might be able to help her with.

CHAIRPERSON ROIJAS: With that, we will thank you very much so you can start your visiting and appreciate your comments and your assistance and, most importantly, your information. Thank you very much.

MR. WESTON: Thank you.

\* \* \* \* \*

CHAIRPERSON ROIJAS: Our next presenter is John Halverson, Regional Director for the U. S Department of Health and Human Services, Office of the Civil Rights.

MR. HALVERSON: Good morning.

CHAIRPERSON ROIJAS: Good morning.

MR. JENKINS: Good morning, John.

CHAIRPERSON ROIJAS: For the record, would you please state your name, address, and occupation?

MR. HALVERSON: My name is John Halverson. I'm Regional Manager, Office for Civil Rights in the U. S. Department of Health and Human Services for Region 7. Our office address is 601 E. 12th Street, Room 248, Kansas City, Missouri 64106.

1                   CHAIRPERSON ROIJAS: Thank you. Do you have  
2 a statement on the issue of race relations in western  
3 Kansas with reference to your job or community  
4 activities?

5                   MR. HALVERSON: My statement is in reference  
6 to my job and what I would like to do this morning is  
7 provide you with some background information on the  
8 Office for Civil Rights and do a little discussion about  
9 some of the issues that have been raised to us out here.  
10 If there are no more questions, I can -- I'll begin.

11                   CHAIRPERSON ROIJAS: Please commence.

12                   MR. HALVERSON: Thank you.

13  
14                   JOHN HALVERSON

15                   REGIONAL MANAGER FOR CIVIL RIGHTS,  
16                   U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
17                   REGION 7

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21                   Thank you for the opportunity to attend this  
22 forum and speak with you today about the Department of  
23 Health and Human Services, Office for Civil Rights.

24                   OCR has the important job of insuring that  
25 HHS funds are spent without discrimination.

26                   To do this, we enforce several civil rights  
27 laws through a comprehensive program of individual  
28 compliant investigations, compliance reviews, technical

1 assistance, and monitoring to insure continued  
2 compliance.

3 We enforce laws that ban discrimination  
4 because of race, national origin, ethnic background,  
5 disability, age, and, under certain circumstances,  
6 religion and sex.

7 Title VI of the Civil Rights Act of 1964 is  
8 a law that prohibits -- that protects persons from  
9 discrimination in the receipt of services based on their  
10 race, color, or national origin. That is in programs  
11 and activities that receive funds from HHS.

12 If you are eligible for health care, public  
13 assistance, or other social services, you can't be  
14 denied these benefits because of your race, color,  
15 national origin, and, other laws for disability or --  
16 or, I'm sorry, and even under the new block grant laws  
17 you can't be denied services because of sex and  
18 religion, also.

19 Covered recipients include hospitals,  
20 nursing homes, mental health centers, migrant health  
21 centers, as well as state and local social services  
22 agencies. If you meet the program eligibility  
23 requirements, you have the right to participate in  
24 health care services, such as pre-natal care, inpatient  
25 hospitalization, long-term care, social services, and in



1 social services such as senior citizens activities and  
2 youth services, as well as any other program or service  
3 or benefit that receives federal funds or assistance  
4 from HHS.

5 Another law we enforce is the community  
6 service assurance under the Hill-Burton Act. The Hill-  
7 Burton Act is a law that provided financial assistance  
8 for construction of hospital facilities and, to a lesser  
9 extent, other health care facilities, such as nursing  
10 homes.

11 As a requirement for facilities to receive  
12 Hill-Burton assistance, they had to agree to provide  
13 services to those residing and, under certain  
14 circumstances, working in the facility's service area.  
15 About 50% of the nation's 6,000 hospitals received Hill-  
16 Burton funds before the program ended some 20 years ago.

17 The community service assurance under Title  
18 VI of the Public Health Service Act, which is Hill-  
19 Burton, requires recipients to -- recipient entities  
20 that received Hill-Burton funds to make services  
21 provided by the facility available to persons residing  
22 in the facility's service area, without discrimination  
23 on the basis of race, color, national origin, creed, or  
24 any other ground unrelated to the individual's need for  
25 the service or the availability of the needed service in

1 the facility.

2 In the case of facilities under Title XVI of  
3 the Act, of the Public Health Service Act, the  
4 requirements applied to persons employed in the  
5 facility's service area. By the way, there are no Title  
6 XVI recipients in this region.

7 What that really means is that the hospitals  
8 that receive Hill-Burton funds must insure that patients  
9 are not transferred to other hospitals without being  
10 made stable in the emergency room. Patients in labor  
11 may not be turned away from these hospitals. These  
12 facilities must accept Medicare and Medicaid and they  
13 must try to work out a method of payment for patients  
14 who do not have insurance. These hospitals, also,  
15 cannot make -- require pre-admission deposits.

16 Other statutes we enforce include Section  
17 504 of the Rehabilitation Act of 1973, the Age  
18 Discrimination Act, and provisions of the omnibus Budget  
19 Reconciliation Act of 1981. This is, basically, what we  
20 call block grants, requiring non-discrimination in block  
21 grant programs administered by HHS.

22 There are approximately 230,000 providers of  
23 services in the country. So OCR has a lot of recipients  
24 out there and these 230,000 are all organizations that  
25 receive our funds and are subject to HHS, OCR.

1                   Effective on January 26th, 1992, the Office  
2 for Civil Rights commenced enforcement of Title II of  
3 the Americans with Disabilities Act, which prohibits  
4 discrimination by state and local government entities on  
5 the basis of disability.

6                   The regulation implementing this title is  
7 modeled on the Section 504 regulation. Although the U.  
8 S. Department of Justice has primary responsibility for  
9 enforcing Title II, eight designated departments,  
10 including HHS, have authority over portions of state and  
11 local government activities.

12                   Specifically, the Office for Civil Rights  
13 has authority to investigate complaints of  
14 discrimination against state and local entities involved  
15 in health or social service functions. These include  
16 public health departments at the state and local level;  
17 also, include medical schools land other health-related  
18 schools, nursing schools, social work schools -- it goes  
19 on and on -- and these have to be operated or funded by  
20 states, and we also, under the ADA, have jurisdiction  
21 over day care and pre-school programs.

22                   Under the ADA, covered entities do not  
23 necessarily need to receive HHS funds. So under the  
24 ADA, basically, is the only kind of -- well, the only  
25 kinds of activities that don't require our funding for

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OCR to -- to have jurisdiction over it.

OCR implements the civil rights statues through a broad scale compliance program. This compliance program is made up of five basic investigative activities. One, complaints. Two, limited scope compliance reviews. Three, investigations. That is different from a complaint, by the way. Four, pre-grant clearance reviews. And, five, monitoring.

The Office for Civil Rights also conducts a voluntary compliance and outreach program, which is designed to provide technical assistance and guidance to recipients and beneficiaries. It is always easier and quicker and more effective to stop a complaint before it starts by everybody realizing the potential problem and finding a solution.

Complaints or allegations of discrimination based on race, color, national original, sex, age, creed, or physical or mental disability filed against recipients of federal financial assistance. However, complaints filed against health and human service-related programs controlled by the state or local government -- governments -- based on disability, there may not need to be federal financial assistance. And our definition of a complaint is very similar to that in

1 the Department of Education, so I'll skip that.

2           Complaints of discrimination based on  
3 religion and sex can also be filed under the non-  
4 discrimination statutes enforced by the Office and that  
5 is where these organizations who receive our funds are  
6 receiving block grants and that includes most mental  
7 health facilities, many public health facilities. Low  
8 income energy assistance is another block grant.

9           Limited scope compliance reviews are -- are  
10 modified compliance reviews. We used to do compliance  
11 reviews where we looked at three or four statutes and  
12 four or five issues, but we found we might find a  
13 violation in only one of these areas and we'd poured a  
14 lot of resources into the other.

15           So we are now targeting and better  
16 pinpointing our scarce resources by conducting what we  
17 call limited scope compliance reviews. These reviews  
18 focus only on one HHS recipient's compliance area, one  
19 law, and, on, usually, one issue. These are reviews  
20 conducted from our office. We made data requests and,  
21 if the results of the data request and the results of  
22 telephone discussion with individuals in the community  
23 show that there is no potential for a violation, we  
24 close the review.

25           On the other hand, if there's any inkling

1 that there may be a violation, we then open what we call  
 2 an investigation where an investigator goes on site and  
 3 conducts a thorough investigation, which looks a lot  
 4 like a complaint investigation. The difference is the  
 5 allegation is generated from our limited scope review  
 6 and not from a complainant. Thus, we don't have to  
 7 worry about reluctant complaints or issues of  
 8 confidentiality.

9 We also may open investigations, for  
 10 example, if a complainant complains and then becomes  
 11 reluctant to give his or her name. So you'll ask for 50  
 12 sets of medical records and the complainant's just  
 13 happens to be in there.

14 We have looked at issues, such as

15 CHAIRPERSON ROIJAS: Excuse me. I -- Okay.

16 MR. JENKINS: Go on.

17 CHAIRPERSON ROIJAS: No. Go ahead. I'm  
 18 just...

19 MR. HALVERSON: We have looked at nursing  
 20 home practices with regard to the admissions of persons  
 21 with infectious diseases. By the way, we've done this  
 22 in central and western Kansas in the last year. The  
 23 alleged practice of medical red lining has recently  
 24 become an important issue. We have looked at several  
 25 home health facilities, not in this part of the region,

1 to see if these facilities were redlining or refusing to  
2 go into certain minority areas of large cities and,  
3 again, we, so far, have found no problem. We've found  
4 no concrete evidence of this yet.

5 We have conducted several of these reviews  
6 in western Kansas. I skipped a line here. These  
7 reviews are reviews under Hill-Burton to see if there  
8 are minority persons receiving services in Hill-Burton  
9 hospitals and, again, here in western Kansas where we  
10 may have conducted five that I -- I say western Kansas  
11 fairly broadly -- probably, as far east as Wichita --  
12 we've conducted five or six of these reviews and found  
13 no -- no real problems and these are the Hill-Burton  
14 reviews looking at minorities receiving services in  
15 emergency rooms and in other parts of hospitals. We  
16 have conducted several, again, of these reviews in this  
17 part of the country.

18 Pre-grant clearance reviews are conducted by  
19 the Office in order to assess the civil rights statutes  
20 or status of all health care facilities that apply for  
21 certification as Medicare providers.

22 These are procedural reviews conducted by  
23 letter and telephone. They require all recipients of  
24 Medicare or all wishing to receive Medicare to assure  
25 that OCR -- to assure OCR that they do not discriminate

1 on the basis of age, race, national origin, or  
2 disability. They have to sign assurances to that  
3 effect. They have to post notice they don't  
4 discriminate. They have to put that information,  
5 usually, in the newspaper. They have to give us  
6 information on the rates of minorities as patients, the  
7 rates of minorities as patient contact, staff. If there  
8 are more than 100 persons with limited English  
9 proficiency in their service area, they have to explain  
10 to us how they would find interpreters. They have to  
11 show they have a capability to provide a TCD, a tele-  
12 communications device, for the deaf or deaf patients.

13 So it's a fairly rigorous activity. The  
14 letter they receive is some daunting. It's about ten  
15 pages long, which explains what they need to do. But,  
16 on the other hand, they usually have to contact us, so  
17 we use this as a means of assuring civil rights  
18 compliance and as a technical assistance tool, because  
19 we help them come into compliance and any nursing home  
20 that's new and wants Medicare is going to know about  
21 civil rights in this region for this reason.

22 Finally, monitoring recipients' activities  
23 occurs when, to reach compliance, the recipient must  
24 take remedial action. We may monitor until the  
25 organization, for example, publishes in its brochures



1 non-discrimination requirements or we may monitor a  
2 hospital to make sure over the next six months or year  
3 or two years that is accepting an appropriate number of  
4 minorities in the emergency room.

5 If a recipient of HHS funds is found to not  
6 be in compliance and we are unable to reach agreement,  
7 and we'll really try to reach an agreement, because, if  
8 we don't, it's a long process, we eventually will hand  
9 the case over to the Justice Department and there are  
10 hearings and it takes a good deal of time for a  
11 resolution. So we try to, almost every time, come to  
12 compliance voluntarily.

13 As is the case with other federal agencies,  
14 we must do more with less. To that end, we are learning  
15 to work smarter. In January of 1995, Secretary Shalala  
16 signed a strategic plan for OCR. This plan calls for  
17 OCR to undertake new initiatives to, one, concentrate  
18 efforts on the highest priority civil rights activities.  
19 These include, but are not limited to, insuring equal  
20 access to health -- health and social services for non-  
21 English speaking persons, insuring equal access to  
22 health and social services for minorities, and equal  
23 treatment for persons with HIV Aids.

24 Two, we are developing strategies to  
25 integrate civil rights into the day-to-day activities of

1 the general HHS programs. We want to be involved at the  
2 beginning and in the planning of program initiatives to  
3 build civil rights in from the beginning.

4 And, three, we are working to train our  
5 staff to more effectively and efficiently perform our  
6 jobs. Each region is working on pilot projects to try  
7 new innovative methods of insuring compliance. We are  
8 working more closely with state agencies and other  
9 federal civil rights agencies to partner in order to  
10 more effectively do our job.

11 Again, thank you for giving me this  
12 opportunity and I have left some fact sheets about OCR  
13 for -- for you to look at.

14 CHAIRPERSON ROIJAS: Thank you very much,  
15 Mr. Halverson. Is anyone on the Committee -- Does  
16 anyone on the Committee have any questions? Ascension?

17 MR. HERNANDEZ: Well, there's one question.

18 CHAIRPERSON ROIJAS: Okay.

19 MR. HERNANDEZ: I guess that we have invited  
20 a member from the Southwest Kansas Area on Agency and  
21 he's going to give us information on access to services  
22 for the minority elderly. How does the HHS monitor at  
23 the federal level services to minority -- minority  
24 elderly?

25 MR. HALVERSON: Over the last half dozen

1 years, we've conducted a few compliance reviews of  
2 triple AAS's. If there are indications of problems, we  
3 could immediately open an investigation and this is one  
4 reason I'm really glad to be here is to hear about  
5 potential problems and I'd like to -- to ask everybody  
6 here, if you have indications, please let us know.

7 MR. HERNANDEZ: Do you know of any minority  
8 administered social service centers for the elderly here  
9 in western Kansas?

10 MR. HALVERSON: I do not.

11 MR. HALVERSON: Okay.

12 CHAIRPERSON ROIJAS: Yes.

13 MR. JENKINS: Okay. Just on behalf of the  
14 Committee, I know it's been a long drive for  
15 representatives from HHS and from the Department of  
16 Education, OCR, to come out here, but, even though your  
17 presentations were ten to fifteen minutes, the work that  
18 you do and the technical assistance that you provide is  
19 very meaningful, not only to the Advisory Committee,  
20 but, I believe, also, to the community at large.

21 We have had similar experience with HHS and  
22 OCR education in western Nebraska and the boot heel of  
23 Missouri, making presentations before the Advisory  
24 Committees and, again, on behalf of the Committee and,  
25 also, from the Central Regional Office of the

1 Commission, we want to thank both of you gentlemen for  
2 coming down from Kansas City.

3 MR. HALVERSON: Thank you.

4 \* \* \* \* \*

5  
6 CHAIRPERSON ROIJAS: And, with that, we will  
7 take a break and we will be back at eleven o'clock, so  
8 we have a nine minute break.

9 (Recess)

10  
11 CHAIRPERSON ROIJAS: We will now re-convene  
12 the meeting and at this point I will read into the  
13 record a letter from Arthur W. Solis, State Commander,  
14 American GI Forum of Kansas. His address is 215 North  
15 Normandy, Olathe, Kansas 66061. This is addressed to  
16 Dr. Jacob Gordon, Chairperson, the Kansas Advisory  
17 Committee, U. S. Commission on Civil Rights, Gateway  
18 Tower 400 State Avenue, Suite 908, Kansas City, Kansas  
19 66101, regarding the Kansas Advisory Committee on  
20 Hispanic affairs:

21 Dear Dr. Gordon: The American GI Forum, of  
22 Kansas, the oldest and largest membership-based Hispanic  
23 organization in Kansas, is keely concerned about certain  
24 issues affecting the Hispanic community of Kansas.

25 A new example of the difficulties facing our

1 community is the fact that Eva Pereira was terminated as  
2 Executive Director of the Kansas Advisory Committee on  
3 Hispanic Affairs, KACHA, effective December 8th.

4 Ms. Pereira's termination by the Secretary  
5 of Human Resources and recent efforts to eliminate or  
6 diminish the status of KACHA as a statutory advisory  
7 committee are reflective of efforts which are  
8 detrimental to the unique needs and interests of the  
9 Hispanic community of Kansas.

10 Other illustrative examples of our concerns  
11 are the following. The certainty of the re-introduction  
12 of the English only bill in the 1996 Kansas legislature,  
13 continued efforts at the national, as well as state  
14 levels, to eliminate or restrict funding for bi-lingual  
15 education, and the curtailing of programs and services  
16 for the migrant community in Kansas.

17 The American GI Forum of Kansas is resolute  
18 in its opposition to any effort which may negatively  
19 impact the Hispanic community of Kansas. We also  
20 reaffirm our commitment to the founding ideals of our  
21 organization to insure the equality of opportunity for  
22 all persons in the areas of education, civil rights,  
23 employment, economic development, and housing.

24 Thank you for the opportunity to express our  
25 concerns. Respectfully yours, Arthur W. Solis, State

1 Commander.

2 CHAIRPERSON ROIJAS: This letter was written  
3 to, also -- from the American GI Forum of Kansas to  
4 Wayne L. Franklin, Secretary, Kansas Department of Human  
5 Resources, 401 Southwest Topeka Boulevard, Topeka,  
6 Kansas 66603-3182. The letter is dated December 7th,  
7 1995. The letter to Dr. Jacob Gordon -- I neglected to  
8 read the date -- was December 11th, 1995.

9 To Dear Secretary Franklin: This letter is  
10 on behalf of the American GI Forum of Kansas, the oldest  
11 and largest membership-based Hispanic advocacy  
12 organization in Kansas. It is our understanding that  
13 Eva Pereira has been terminated, effective December 8th.

14 We recognize the authority and prerogative  
15 of an agency executive to make management decisions  
16 which he in good faith believes to be necessary and  
17 appropriate. Quite frankly, however, unlike her two  
18 predecessors in office, Eva Pereira has served the State  
19 of Kansas and the Hispanic community in an exemplary and  
20 non-partisan fashion.

21 Secretary Franklin, if your personnel  
22 actions are a prelude to eliminating or diminishing the  
23 status of KACHA as a statutory advisory committee, we  
24 reiterate our resolute opposition to any such action.  
25 It is our continued belief that the establishment of a

1 minority affairs organizational structure would be a  
2 callous disregard of the best interests of the racial  
3 and ethnic minority communities of Kansas.

4 As a final matter, we respectfully request  
5 a meeting with you within the next week to discuss our  
6 concerns regarding the relationship of your agency with  
7 the Hispanic community of Kansas.

8 Respectfully yours, Arthur W. Solis, State  
9 Commanders.

10 Copies of this letter were sent to Senator  
11 Al Ramirez, Representative Carlos Mayans, Joe de la  
12 Torre, Governor's Special Assistant.

13  
14 CHAIRPERSON ROIJAS: The following letter  
15 from the American GI Forum, dated November 15, 1995.  
16 This is to the Honorable Bill Graves, Governor, State of  
17 Kansas, State Capitol, Room 212S, Topeka, Kansas 66603-  
18 1590:

19 Dear Governor Graves: I am writing this  
20 letter to you on behalf of the state and local community  
21 leadership of the American GI Forum of Kansas, the  
22 oldest and largest membership-based Hispanic  
23 organization in Kansas.

24 It is our understanding that the Department  
25 of Human Resources is again considering a minority

1 affairs organizational structure. Governor Graves, we  
2 oppose an proposal which eliminates or diminishes the  
3 status of the Kansas Advisory Committee on Hispanic  
4 Affairs, KACHA, as the statutory advisory group. We  
5 also oppose any action which allocates or redirects  
6 KACHA's budget and/or FTEs to any program or function,  
7 other than the programs or activities of KACHA.

8 With respect to the viability of a minority  
9 affairs organizational structure, the record is clear.  
10 First, the March 15, 1994 WSU report on the "Special  
11 Needs of Minority Groups in Kansas" (at page 102), made  
12 the followign findings and concluciosn to our  
13 legislature:

14 (1) State government should not attempt to  
15 impose coalitions on minority groups for the purpose of  
16 communicating their policy interests, if these groups do  
17 not have shared cultural values or natural political  
18 alliances. (2) Although in theory the operation of an  
19 "umbrella" minority affairs office could increase the  
20 political impact of minority interests and maximize  
21 state resources, the WSU study team concludes that such  
22 a structure would lead to unproductive competition and  
23 conflict. (3) There is little evidence that individual  
24 minority groups in Kansas recognize a common purpose in  
25 working under a minorities affairs organizational



1 structure. (4) In fact, there is considerable opposition  
2 among Hispanic and African-American groups to such an  
3 arrangement. (Enumeration and emphasis added.)

4 Second, on October 19 and 20, 1994, the 1994  
5 interim Special Committee on Special Advisory  
6 Commissions (Legislative Committee) conducted hearings  
7 "to determine the feasibility of creating a coordinating  
8 counsel on human resources with a Department of Human  
9 Resources in order to facilitate central budgeting and  
10 staffing of special advisory groups appointed by the  
11 Secretary of Human Resources."

12 Like the WSU study team, the Legislative  
13 Committee Found:

14 Most (conferees) felt that a coordinating  
15 counsel would not be able to meet the specific needs of  
16 each separate group and that needs would be better  
17 addressed through the establishment of separate  
18 commissions.

19 The Legislative Committee then made the  
20 following critical conclusions and recommendation:

21 After considerable Committee discussion and  
22 based upon the testimony from conferees, (1) the  
23 Committee recommends against the creation of a  
24 coordinating counsel administered by the Department of  
25 Human Resources. (2) The Committee also recommends no

1 further action to be taken on the creation of additional  
2 advisory commissions until such time as the new Governor  
3 may provide input into consideration of these matters.

4 (Enumeration and emphasis added.)

5 It is appropriate at this point to riterate  
6 our longtime support for the statutory creation of an  
7 African-American advisory group. For your information,  
8 during the 1991 legislative session, the American GI  
9 Forum testified before the House and Senate Committees  
10 on Governmental Organization in favor of 1991 House Bill  
11 No. 2283, which would have established an Advisory  
12 Committee on African-American Affairs.

13 Governor Graves, ethnic and racial  
14 minorities in Kansas have made, and continue to make,  
15 significant and constructive contributions to our State.  
16 Each of our communities have, time and time again,  
17 demonstrated its commitment to Kansas and our Nation.  
18 Statutory advisory groups are an investment, not a  
19 beudgetery drain. However, even thoug there are some  
20 commonality of interests, the unique and diverse  
21 interests and needs of our respective communities  
22 requires separate statutory advisory groups for  
23 Hispanic-Americans and African-Americans.

24 If you, or your staff, should have any  
25 questions or require more information, please do not

1 hesitate to contact me.

2 Respectfully yours, Arthur W. Solis, State  
3 Commander.

4 With copies to Senator Al Ramirez, Senator  
5 U. L. Gooch, Representative Brabara Ballard, Wayne L.  
6 Franklin, KDHR Secretary, Eva Pereira, KACHA Executive  
7 Director, and Joe de la Torre, Governor's Special  
8 Assistant.

9 ---

10 CHAIRPERSON ROIJAS: Any comments on these  
11 statements for the good of the cause?

12 (No response)

13 \* \* \* \* \*

14  
15 CHAIRPERSON ROIJAS: In that case, we will  
16 now go on to -- who do we have -- okay -- we will now  
17 call Robert G. Lay, Executive Director for the Kansas  
18 Human Rights Commission.

19 MR. LAY: Good morning.

20 CHAIRPERSON ROIJAS: Good morning.

21 MR. LAY: Francis, how you doing?

22 MR. ACRE: Doing fine. It's good to see you  
23 again, sir.

24 MR. LAY: Good to see you, sir. Melvin, how  
25 you doing?

1 MR. JENKINS: Excuse my seat.

2 MR. LAY: That's okay. No problem.

3 MR. JENKINS: Bob, you make a good  
4 politician.

5 MR. LAY: I never -- I never visualized  
6 myself as a politician.

7 CHAIRPERSON ROIJAS: For the record, please  
8 state your name, address, and occupation.

9 MR. LAY: I'm Robert G. Lay. I'm the  
10 Executive Director of the Kansas Human Rights  
11 Commission. My home address is 15449 110th Road in  
12 Hoyt, Kansas.

13 CHAIRPERSON ROIJAS: Do you have a statement  
14 on the issue of race relations in western Kansas with  
15 reference to your job or community activities?

16 MR. LAY: Yes, I do. I have a prepared  
17 statement --

18 CHAIRPERSON ROIJAS: Excellent.

19 MR. LAY: -- and some information that I  
20 want to leave with members of the Committee, also. I  
21 don't know if you'd like to have this information now or  
22 after I after I get done.

23 CHAIRPERSON ROIJAS: Why don't you -- We  
24 don't --

25 MR. JENKINS: Go ahead.

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MR. LAY: Okay. All right.

CHAIRPERSON ROIJAS: Please describe your concerns regarding race relations in Western Kansas.

MR. LAY: All right.

CHAIRPERSON ROIJAS: In your opinion, are there any problems?

MR. LAY: All right.

ROBERT G. LAY

EXECUTIVE DIRECTOR,  
KANSAS HUMAN RIGHTS COMMISSION

First off, I'm very happy to be here today. I'm very pleased to be invited out here. I'm thankful the weather was nice and I was able to get here without snow or ice, but I -- I've enjoyed coming out here.

Perhaps, I might want to just briefly just review the Committee the Commission's purpose briefly. Then I will go into my prepared statement on discrimination in western Kansas.

I'll review this real quickly. This is a rather over-view of the Commission and, certainly, I will stand for any questions that you may have at any time, really.

The Kansas Human Rights Commission is a state agency empowered by law to investigate complaints

1 of discrimination based on race, religion, color, sex,  
2 disability, national origin, ancestry, or age in the  
3 areas of employment, public accommodations and housing,  
4 which includes familial status in housing.

5           Complaints must be filed six months or in  
6 one year, in the case of housing discrimination. In-  
7 take personnel in the Topeka office will assist in  
8 drafting complaints based on the information provided.  
9 Assistance is also provided before it is considered to  
10 be a -- must be signed and notarized before it is  
11 considered an official document. There is no filing fee  
12 for these -- for these complaint processing procedures.

13           And the goal of the Commission is to conduct  
14 a thorough and objective investigation. The Commission  
15 is required by law to assume a neutral, non-adversarial,  
16 and impartial role in its investigation.

17           This means that the investigator cannot  
18 represent either side of the complainant or the  
19 respondent. The investigator, instead, will attempt to  
20 gather all the facts in an objective and impartial  
21 manner for presentation to the Commission for a decision  
22 and, after reviewing all relevant records and conducting  
23 witness interviews, a field investigator will write a  
24 case summary.

25           This summary is then presented to the

1 investigating commissioner, who is responsible for  
2 issuing a finding of either probable cause or no  
3 probable cause.

4 In order to make a probable cause finding,  
5 the Commission must be able to find evidence that an act  
6 of discrimination did occur. If there is insufficient  
7 evidence, the Commission cannot find probable cause.

8 This is important to understand as it means  
9 that, no matter what may be thought or felt about a  
10 particular given case, there must be evidence of  
11 discrimination for a probable cause finding. Lacking  
12 such evidence the Commission must find no cause.

13 If the Commission makes a no cause finding,  
14 the Commission will close the case and take no further  
15 action. The complainant, however, may then file an  
16 action in the District Court of Kansas or in federal  
17 District Court through private legal counsel.

18 If the Commission issues a probable cause  
19 finding, a representative of the Commission will attempt  
20 to resolve the complaint through a written conciliation  
21 settlement. If settlement fails, the case will likely  
22 then be scheduled for a public hearing. The  
23 Commission's decision after a public hearing can then be  
24 appealed to the District Court by either party.

25 After a complaint has been on file with the

1 Commission for 300 days without a determination of  
2 probable cause or other disposition, the case may be  
3 closed if the complainant makes a written request for  
4 dismissal so that they can file the case in District  
5 Court.

6 The other sheet that I -- the fact sheet --  
7 I'll just leave that with you. I thought I'd update you  
8 on Commission operations up to date.

9 With regard to incidents of discrimination  
10 in western counties -- in western Kansas, I had to  
11 determine what it was when we talk about western Kansas.  
12 Where, do you know, where do you draw the line? So I  
13 looked at the cities where the most incidents of  
14 complaints filed occurred and the population centers and  
15 I just kind of -- I don't have a large chart of this,  
16 but, essentially, it runs directly north and south  
17 through the State of Kansas on Highway 14. Okay?

18 So Beloit, that's right around Beloit in  
19 northern Kansas. Runs right down on the -- just west of  
20 Elsworth, Lyons, Sterling, Kingman -- Kingman would be  
21 included -- Anthony, Kansas, and that's just east of  
22 Pratt so that's kind of about where the -- where the  
23 line runs.

24 All areas west of that I -- for this report  
25 -- I consider to be western Kansas.



1 CHAIRPERSON ROIJAS: Okay.

2 MR. LAY: For the purpose of this report, as  
3 I just described, I geographically divided the state  
4 into two areas.

5 Now in that area, I have identified five  
6 specific Kansas towns in western Kansas for the basis of  
7 this report. These towns were selected because of their  
8 population and incidents of discrimination reported to  
9 the Commission. Over 96% of the complaints filed in  
10 western Kansas area emanate from in and around these  
11 towns. The towns identified are Dodge City, Garden  
12 City, Liberal, Great Bend, and Hays. The remaining 4%  
13 of the complaints filed in the western Kansas area are  
14 widely scattered throughout the area. You may get a  
15 complaint here or one here and so on.

16 As can be seen from this information -- and  
17 I need to refer you to a chart -- on the -- on the  
18 packet of charts that has the names of those cities  
19 above it, Dodge City, Liberal, Great Bend, and so on --  
20 that gives the incidence of discrimination in fiscal  
21 year '95, '94, and '93, and on the back of that chart  
22 packet is a total. I totaled those. And, as can be  
23 seen from the information that we've totaled,  
24 disability, by far -- was by far the most common basis  
25 of complaints filed; 120 complaints based on disability.

1           You will also notice from the data that  
2 employment discrimination complaints make up about 95%  
3 of all complaints.

4           In fiscal year 1991 through fiscal year  
5 1995, the number of disability complaints filed  
6 increased by 739%. We had, I believe, in FY '91  
7 something like 71 disability or then it was called  
8 physical handicap complaints filed and then, with the  
9 amendment to the Kansas Act Against Discrimination,  
10 which occurred in 1991, in 1992 we saw a tremendous  
11 increase in '91, '92, '93, and '94.

12           The primary reason of the sharp increase was  
13 the 1991 -- or the 1992 amendment to the Kansas Act  
14 Against Discrimination. These amendments added  
15 disability to the Act and brought the Act Against  
16 Discrimination into substantial equivalency wit Title  
17 VIII of the Federal Fair Housing Act. The amendments,  
18 essentially, adopted the same definition of disability  
19 found in the Federal Americans with Disabilities Act  
20 and, in fact, Kansas law went into effect one year  
21 earlier than the Federal Act.

22           In 1991, in the 1991 legislature, we were --  
23 we were supporting that legislation, but we, really,  
24 wanted it to go into effect a year later when the  
25 federal law went into effect, because there's a lot of

1 work involved in getting geared up to understand the law  
 2 and get ready to enforce it, but, for some reason, it  
 3 came out of the legislature to be effective on July the  
 4 1st, which gave us about 30 days to gear up and what we  
 5 did we -- we traveled, myself and the chief legal  
 6 counsel, we traveled. We had a forum in Kansas City and  
 7 one in Wichita and Topeka around the last part of June  
 8 and it brought a number of attorneys across the state  
 9 who were interested in that to tell them about the new  
 10 law that was going into effect like tomorrow and -- But  
 11 that, we feel, was the reason for the large number of  
 12 complaints.

13 Those complaints, the numbers of those  
 14 complaints now has diminished, they're dropping off,  
 15 probably, because there is always a surge of complaints  
 16 when you have a new coverage and, not only that, but we  
 17 think some of our enforcement efforts are helping also.  
 18 So we're seeing a number of complaints, disability  
 19 complaints, drop off.

20 Sex discrimination, as you can see, was the  
 21 second leading basis of complaints filed, followed by  
 22 ancestry. Complaints filed on the basis of race, age,  
 23 retaliation represent the bulk of the remaining number  
 24 of complaints filed.

25 I think it's important to point out, though,

1 that these numbers represent only the number of  
2 complaints filed and do not represent the total  
3 incidence of discrimination. This is -- this is just  
4 the people who contact us to file a complaint. We feel  
5 there are many -- and I'm going to add one more many to  
6 my -- from my text -- more incidents of discrimination  
7 that occur that do not get reported.

8 This, probably, occurs because many people  
9 either do not know where to file a complaint, do not  
10 want to become involved in an adversarial situation, or  
11 they fear retaliation and retaliation, as you can see,  
12 is a major factor.

13 There were 50 retaliation complaints filed  
14 and, even though -- even though on every complaint  
15 that's filed, when we serve that complaint upon a  
16 respondent, we have a fact sheet that's a little filler  
17 in there that goes in there that says retaliation across  
18 the top. It says retaliation is unlawful and tell all  
19 about the retaliation laws and, still, even doing that,  
20 we get a number of retaliation complaints.

21 Picking up in the middle of the page, we  
22 feel that many new immigrants into Kansas, documented as  
23 well as undocumented workers, are, in general, I  
24 believe, suspicious of government entities, government  
25 agencies, and sometimes live in fear of deportation and,

1 therefore, do not report unlawful discriminatory  
2 treatment.

3 We feel this is a more common matter in  
4 western Kansas, due to the large number of migrant an  
5 seasonal farm workers and the huge meat packing and  
6 processing industry who employs large numbers of  
7 Hispanic and Asian workers.

8 Many of these workers have very little  
9 contact with government entities and they traditionally  
10 find support in their family structure and close  
11 friends. Therefore, they do not report incidents of  
12 discrimination as commonly as other people. The  
13 Commission finds it difficult to reach out and provide  
14 service to these rural areas, primarily, due to our  
15 budget restraints.

16 With regard to the agency's education and  
17 outreach activities, the agency has only one member to  
18 provide education and outreach activities in the entire  
19 state. We commonly receive many request and we,  
20 consequently, supply a large number of anti-  
21 discrimination posters to many large employers in  
22 western Kansas. Those, by the way, are provided pretty  
23 much free of charge.

24 We have also, with the assistance of the  
25 Kansas Advisory Committee on Hispanic Affairs -- I have

1 met with Eva about a week -- about a month ago, I'm  
2 sorry, and we had talked about some of the -- and some  
3 of the problems that she was aware of in the western  
4 Kansas area and the -- the uniqueness of those problems  
5 and we identified two areas where we might be able to do  
6 something and that was through national public -- that  
7 was through public radio, because a lot of the workers  
8 listen to radio on the weekends and so -- so we're  
9 making efforts -- we're going to do that. Maybe, Eva  
10 will still work with me, and I'm sure she will, even  
11 though she has -- we know what happened in that office,  
12 but I was looking forward to a real good relationship  
13 with her to work out some problems out here.

14 That was one area we talked about. The  
15 other was that we made contact through Eva to two VISTA  
16 volunteers, one in Dodge City and one here in Garden  
17 City, and we've already met with those -- one of my  
18 staff members has already met with those two individuals  
19 to provide them with some training and education  
20 material with regard to what the law is, coverages of  
21 the law, and how to file a complaint with the  
22 Commission.

23 Hopefully, since they live in the  
24 communities and have established rapport with people in  
25 those communities, we believe they can be helpful in

1 identifying some of the problems in the area and helping  
2 people to find out where to file a complaint. -

3 We also are very pleased with regard to  
4 outreach activities that the Dodge City Human Relations  
5 Commission and the Kansas Human Rights Commission just  
6 recently entered into an investigative services  
7 contract. Under the provisions of this contract, the  
8 Dodge City Commission will investigate complaints filed  
9 with the Kansas Human Rights Commission that are within  
10 the jurisdiction of the Dodge City Commission. That  
11 is, within the city limits of Dodge City.

12 The Kansas Human Rights Commission will pay  
13 the Dodge City Commission for these services from funds  
14 appropriated by the Kansas legislature for this purpose.

15 Dodge City is one of six city municipal  
16 agencies in Kansas to enter into these contracts this  
17 year. The other cities with contracts are Kansas City,  
18 Lawrence, Topeka, Manhattan, and Junction City.

19 We believe these contracts will provide the  
20 basis -- will provide the basis for a much broader and  
21 more effective level of cooperation in our common  
22 mission, which is to eliminate and prevent  
23 discrimination and we're hoping that the legislature as  
24 the denote on that will fund that program again next  
25 year. I think -- I think those funds are going to be

1 there for one more year, at least, to test the  
2 effectiveness of the program.

3 We hope to expand our outreach activities in  
4 western Kansas in the near future, as I mentioned  
5 previously, to several public radio stations. We will  
6 seek the cooperation of these radio stations in  
7 broadcasting information about the agency's mission and  
8 how to contact the Commission to report discriminatory  
9 incidents or file complaints. We also plan to be able  
10 to broadcast these messages in Spanish, as well as  
11 English.

12 Now, with regard to establishing an agency  
13 office in western Kansas, this has been the subject of  
14 discussions from time to time for several years in the  
15 agency. We've also considered the possibility of a  
16 satellite office. Perhaps, in the Overland Park area.  
17 You know we do have the office in Wichita. We have a  
18 satellite office there because that is a real heavily  
19 populated area and we get about 40% of our complaints  
20 out of Wichita, out of the Wichita area.

21 Again, due to the budgetary restrictions the  
22 agency has -- has been imposed on the agency, we have  
23 never been able to develop specific plans for either  
24 area. As you may know, in the last legislative session,  
25 the agency lost five full-time positions and this was a



1 time when our workload was increasing.

2 And we barely defeated a proposal to cut  
3 agency staff in half and we felt it rather difficult  
4 and, perhaps, unwise at that time to request additional  
5 funds to open a satellite office under these  
6 circumstances.

7 Nevertheless, we have not abandoned the  
8 idea. At this time, we feel we must wait and see what  
9 the 1996 legislature's mood is toward this agency with  
10 regard to funding agency operations.

11 At some point in the future, if we can show  
12 that it would be more efficient to maintain an office in  
13 western Kansas to address complaints in that area, we  
14 may want to make such a proposal. I believe that it's  
15 an idea worthy of serious consideration.

16 In closing, I want to thank Mr. Jenkins with  
17 providing me the opportunity to appear here today and  
18 report to this title. Any time you or anyone else  
19 invites me, Melvin, to speak about the work of the  
20 Kansas Human Rights Commission, I'll be there to do  
21 that. This is because I believe very strongly that we  
22 do enforcing the state's civil rights laws. I believe  
23 it's critically important to the people of Kansas. All  
24 of the people in Kansas.

25 I want this panel to know that, for as long

1 as I have the privilege of serving as the Director of  
2 the Kansas Human Rights Commission, I will work as hard  
3 and as smart as possible to eliminate discrimination in  
4 Kansas and to educate the public of their rights and how  
5 to seek assistance in claiming those rights.

6  
7 CHAIRPERSON ROIJAS: Thank you very much.

8 Are there any questions?

9 MR. NULTON: I have several. Mr. Lay, with  
10 regard to a western Kansas office -- I'm looking on the  
11 four page of your statement towards the end -- at some  
12 point in the future if we can show it would be more  
13 efficient to maintain an office in western Kansas.

14 Under current case-intake costs and  
15 operation of satellite offices, do I assume implicit in  
16 that remark is that currently that showing cannot be  
17 made that it would be more efficient?

18 MR. LAY: Well, I believe it was two years  
19 ago -- it was two years ago -- when we planned to form  
20 the budget and present the budget. We talked seriously  
21 about -- we meaning the staff, the top staff members --  
22 when we were putting the budget together as to -- as to  
23 trying to open an office in Dodge City and we did some  
24 figures on that in terms of rent and so on. But then,  
25 the following -- which was last spring when we went

1 through the legislative session -- in the first meeting  
2 that we went to without any seeming rationale  
3 whatsoever, they cut the agency in half and so we -- we  
4 were able to defeat that. It just didn't seem  
5 appropriate last year to ask for that.

6 Now, and I'm serious about this, I think  
7 that -- I think that the mood of the legislature is  
8 going to be more favorable this year. We have made some  
9 real progress in working our case load since April. We  
10 can show some really improvement on -- on the number of  
11 complaints that's being successfully resolved. For  
12 example, since April to the end of November we have  
13 reduced our open case load, which was one of the  
14 problems the legislature was concerned about, we have  
15 reduced it by 14%. Something like 370, nearly 400  
16 complaints, in addition to resolving the cases that's  
17 come in the door.

18 We set up a strategic plan for '95, '96,  
19 '97, '98 and projected how this will all work out if we  
20 remain staffed at the same level.

21 Now I reported before the -- I'm coming to  
22 the answer to your question. I reported to the interim  
23 legislative committee in September about the agency  
24 operations and how we were doing in -- in our backlog  
25 and I was able to provide a very optimistic report and

1 show a tremendous amount of improvement in agency  
2 operations in terms of the amount of money that's  
3 collected for petitioners who file with our agency in  
4 terms of resolving cases quicker and so on. I guess you  
5 might say we've been on a roll here recently. We really  
6 have been. We really have been doing a lot of good  
7 things and working down that backlog.

8 Now, hopefully, when we go into this new  
9 legislative session, that will be appreciated and that  
10 we may favor well. If we favor well in the upcoming  
11 legislative session, which I mean hold on to what we  
12 have, current level of funding, current staff, it's kind  
13 of a bare bones budget, but we do have money to travel,  
14 we do have money to operate and litigate complaints, if  
15 that is favorable, we may then want to take a look in  
16 July of writing that into the next year's budget, but I  
17 think that, after last year, we have to wait another  
18 year until we see whether we come up against some of the  
19 same kind of things we did last year.

20 MR. NULTON: Okay. Are the -- Is the  
21 economics there that it would -- it would be more  
22 economic to have a western Kansas office than the  
23 present means out of Topeka and Wichita?

24 MR. LAY: Well, it -- I did some figures on  
25 that two years ago when we talked about it. It wasn't,

1 really, all that much money, because we'd have to have  
2 a staff member out here. We couldn't -- We could not  
3 get an additional staff member. We would have to wait  
4 'til one of our positions opened and then -- and then  
5 fill the position out here. We would want somebody that  
6 lived in Dodge City or Garden City or wherever it's  
7 going to be opened. We'd want somebody that lived here  
8 and could operate out of a small office. That way we  
9 wouldn't have to pay any additional salary. So you'd  
10 save money on -- on transportation for when our current  
11 investigators have to travel out there. So, in terms of  
12 money, it's not a -- it's not a large amount more of  
13 money at this point.

14 It's psychological a lot, I believe, with  
15 the legislators as to whether we're expanding our hold  
16 on the -- the Commission is expanding, rather than --  
17 there's some of that feeling, the Commission is  
18 expanding its hold on the government, you know.  
19 Government is expanding, rather than looking upon it as  
20 we're out there to provide more services to people.

21 So I just think it's important to look and  
22 see what the mood is this spring when we meet the  
23 session.

24 MR. NULTON: But, at least, two years ago,  
25 does it sum it up that it's the economics, although

1 slight, was still not there?

2 MR. LAY: Yeah, it -- it was slight, but it  
3 still wasn't there. I mean --

4 MR. MESA: Okay.

5 MR. LAY: I don't remember the exact  
6 figures, but it wasn't a large economic impact to open an  
7 office out here.

8 MR. NULTON: Okay.

9 CHAIRPERSON ROIJAS: The -- I'm sorry. Go  
10 ahead. You're the Chair.

11 CHAIRPERSON ROIJAS: All right. Thank you.  
12 In looking at your statistics and the most complaints  
13 were regarding disability, to what do you lead the --  
14 what is your conclusion in the fact that people with  
15 disabilities knew what to do about filing a complaint?  
16 Is it that they have more information or what -- what  
17 makes a difference here? Do you understand what I'm  
18 asking?

19 MR. LAY: Well, yes. Well, I think, first  
20 off, the disability community is a well organized  
21 lobbying group.

22 CHAIRPERSON ROIJAS: Okay.

23 MR. LAY: They are very well organized.  
24 Plus and they have a -- they're a very close network  
25 group of people and that's not so with some of the other

1 groups that are on a protected basis. It's just not so.  
2 The disability community is very well organized and,  
3 plus, we had had in effect since 1973 the Rehabilitation  
4 Act, the Federal rehabilitation, 504 of the Federal  
5 Rehabilitation Act, which identified disability almost  
6 the same -- in the same terminology as did the Americans  
7 with Disabilities Act. The only thing it, that  
8 particular law, covered federal -- covered entities who  
9 were receiving federal funds.

10 So the disability people already pretty much  
11 knew what the law was. It's just that it did expand it  
12 to the public entities, as opposed to only those  
13 receiving federal funds.

14 But I think the main thing is they're a  
15 close network group of individuals and they're ready to  
16 move and find out what's going on and what the law is.

17 CHAIRPERSON ROIJAS: So then could I make  
18 the assumption then that, because they have the  
19 knowledge as to their rights, they have the knowledge as  
20 to what is a discrimination situation -- discriminatory  
21 situation, then they have the knowledge to know how to  
22 go about filing a complaint?

23 MR. LAY: Well, that's -- that's, probably,  
24 a accurate assumption. It's kind of guess work in a  
25 way. I don't know for sure. A person with a disability

1 seems to, in some cases, focus on that disability  
2 constantly, more than -- more than if you're the member  
3 of an ethnic group because it comes up all the time.  
4 You take a person who must use a wheelchair for  
5 mobility, like my youngest son, you know. And so we run  
6 -- I mean that runs onto every moment of the day,  
7 almost. When you run onto a sidewalk, you can't get up.  
8 When you run onto a door you can't open or a water  
9 fountain you can't reach or something. So you're aware  
10 of that constantly.

11 I'm just suggesting that, perhaps, for  
12 gender discrimination or where you're just a group of a  
13 larger group of people, you don't think about that.  
14 You're not as concentrated on that all the time.

15 I think they keep informed better. They  
16 have a closer network of people and the -- the groups  
17 that they belong to keep them informed with hotline.  
18 For example, the --

19 CHAIRPERSON ROIJAS: Okay.

20 MR. LAY: -- the Disabilities Commission.  
21 The Kansas Disabilities on -- on Disability Concerns is  
22 a very active organization. So that's kind of my  
23 feeling.

24 CHAIRPERSON ROIJAS: Melvin.

25 MR. JENKINS: You mentioned that your staff



1 was cut by the state legislature by five propositions  
2 last year. However, you were able to reduce your  
3 backlog by 14%. What management tool did you employ  
4 that you could use or tell some of your colleagues in  
5 the other states on reducing backlog and then what is  
6 the position of the Commission seeking funding for FY  
7 '96? Are you seeking to restore those positions and say  
8 look at the track record that we have?

9 MR. LAY: First off, we're not -- we're not  
10 seeking to restore those positions. We're not seeking  
11 to restore those positions because we were told pretty  
12 bluntly, not only in the Committee meetings, but also,  
13 in the meetings that occur outside the room, they said  
14 you're not getting any more people. Okay? So, and not  
15 only that, but the administration's direction is to cut  
16 the size of government. So it didn't seem wise to go  
17 back in and ask for those new staff.

18 What we had to do was to find a way to  
19 demonstrate that -- Well, first, the next thing they  
20 told us is you have to do the job with the people you  
21 have. Okay? So we -- we decided we're going to have to  
22 do the job with the people we have to do it with and we  
23 embarked upon some severe internal analysis of  
24 management practices and how we process complaints and  
25 so on and I can enumerate some of those things.

1           The one thing that did help us, though, I  
2 believe, that was part of the legislation last year. It  
3 was part of our strategic plan to handle this workload  
4 up through the number of years. One, we proposed and  
5 the legislation passed a provision that's been referred  
6 to as the 300 day provision. Okay? What that is, it's  
7 an amendment to the Kansas Act Against Discrimination,  
8 which says that, if a complaint has been on file for 300  
9 days and the Commission has not made a -- has not  
10 resolved the case and made some kind of resolution of  
11 the case, then the complaining party, if they want to go  
12 to court, if they want to file that case in the district  
13 court, they can, in writing, request that it be  
14 dismissed so they can go to court. Okay?

15           There was a number of people sitting in our  
16 backlog that wanted to get their case in the District  
17 Court, but they couldn't until we finished it and  
18 completed the administrative remedy. They can't proceed  
19 in the District Court until they complete their  
20 administrative remedy.

21           So, before that, the way a person had to --  
22 had to get in the District Court, if they sent in a  
23 withdrawal form just withdrawing the complaint, that  
24 would -- that did not satisfy the administrative remedy.  
25 Then they would have to -- their attorney would have to

1 petition us to reconsider and we would have to  
2 reconsider and say no and then that would complete their  
3 administrative remedy. So there was a whole bunch of  
4 administrative paperwork that went around and around  
5 before a case could get in the District Court.

6 This law says in itself that, if you request  
7 in writing that your case be dismissed for this purpose,  
8 the Commission will dismiss it and that dismissal  
9 completes your administrative remedy by law.

10 So there was about 100 people that -- that  
11 were waiting to get out of the system so they could go  
12 to court. The only reason they filed with us in the  
13 first place was to complete their administrative remedy  
14 and there would be people coming due all along when  
15 their 300 days is up.

16 Then another provision of the law says that  
17 next July the 1st the Commission itself, after 300 days,  
18 if they have not made a resolution of the case, can  
19 dismiss the case for the purpose of going to court. The  
20 Commission -- There was some fear about that among  
21 some of our constituents that the Commission next year,  
22 next July, is suddenly going to close out all the  
23 backlog.

24 I can assure you they're not going to do  
25 that. That would be a terrible thing to do and create a

1 real bad riot around the state house, I'm sure. So but  
2 the Commission does -- would have that authority under  
3 certain circumstances. So that was one of the things  
4 and so that led to some closures.

5 The other thing is we simply -- we provided  
6 our investigators with some tools. For example, to make  
7 our reports in their case -- their case progress reports  
8 smaller, more concise, so they didn't have to do a lot  
9 of writing, the summary that they write in their  
10 investigation would be more concise. We gave them some  
11 new tools and we increased their performance standards.  
12 Instead of having to do this many cases in a month, you  
13 have to do this many and it's an average.

14 So the new performance standards and a few  
15 other things like that -- and there was some internal  
16 stuff like how we assigned cases.

17 Instead of leaving them all sitting in a  
18 backlog waiting to be assigned, we've assigned them to  
19 the investigators now. There's no cases sitting there  
20 in the file cabinets. So all the cases are with the  
21 investigators within 30 days after it's filed so that  
22 there's somebody responsible for that case all the time  
23 in the office and it's not sitting back there in the  
24 file cabinet. So, if something comes in on that case,  
25 if something happens, the complainant wants to get in

1 touch or something happens on that case or a dismissal  
2 of some kind, the investigator's got it. We don't have  
3 to waste administrative time trying to find it and  
4 assign it to somebody.

5 So that is helping a lot, too, and that's  
6 not any short-cuts. We're not short-cutting our  
7 investigation. It's just a matter of putting the  
8 complaints all in the hands of the investigators. They  
9 come in and, after 30 days, they're all divided up and  
10 assigned. Now there's somebody responsible for every  
11 case and it doesn't change the way we counted our  
12 backlog. We count that as all open cases, anyway. So  
13 that's, basically...

14 MR. JENKINS: Given the circumstances of the  
15 dreaded name in human relations agencies, the backlog,  
16 what is your backlog statewide now?

17 MR. LAY: It's about -- There's about 2,000  
18 cases and then, on top of that, there's about -- a  
19 little over 300 cases that are first filed with EEOC  
20 that we also have dual files. We don't have much  
21 responsibility on those. So we're going to try to  
22 separate those when we talk about backlog. So the cases  
23 that we have responsibility for are a little over 2,000  
24 cases and, in March of this year, it was 2,700 cases.  
25 So we're seeing about a 50 some, on an average,

reduction in case backlog every month since March.

MR. JENKINS: The other thing you mentioned is that you have one full-time person assigned to, I guess, to do education and this type work and, given the fact that in your comments you indicated you're quite sure, and just on your own information, that, probably, there are more persons out there who want to file complaints, but really don't -- a complaint, but really don't have the wherewithal or the knowledge or the consideration how to file a complaint and the fact that you only have one staff person to provide the technical information to go around the state, how do we get more information out to the communities like Liberal, Garden City concerning know your rights and how to file complaints with the Kansas Commission? I know you can't travel to -- to this area every week or every other week or something like that. So how do you provide the information of what can be done?

MR. LAY: Well, if I -- I don't have an education specialist aboard right now. We're trying to fill that position. Plus, I've only been in office since August, but I have some -- I have some -- it goes a little more than ideas of how to get out there and do that, because I worked in public affairs for several years a long time ago and I'd like to -- I'd like to

1 say, first, in public radio, there's several radio  
2 stations and I can't call the call signs right now and  
3 they will -- they commonly will donate public service  
4 time for these kinds of 30 second advertisements or 20  
5 or, maybe, even a minute you might be able to get it on.  
6 There are several talk shows around.

7 I came out to a station in Dodge City  
8 several years ago. There's a -- there's a television  
9 station just west of Dodge City out there where the  
10 tower's at and everything. I came out to that place  
11 several years ago.

12 But I would like to do more of that media  
13 work and I would like to find a -- and, also, with our  
14 contact person in Dodge City, Mr. Kenton, who is the --  
15 is going to be the investigator in Dodge City with our  
16 contract in Dodge City. So that will help and that'll  
17 provide a place for people in Dodge City.

18 If we -- If we can make some inroads now up  
19 in Hays or Goodland, that we don't -- I don't have  
20 anybody up there yet. I don't have any contact up there  
21 yet, but that's the way, I think, to do it on public  
22 radio and some television work.

23 I would like to have a center up there that  
24 would give away information about the agency, like one  
25 of the Job Service centers, and that's been an idea

1 we've talked about, because the Department of Human  
2 Resources had a number of Job Service Centers in every  
3 county and, if we could provide them with some handouts,  
4 I think that would be helpful. That's some of my plan.

5 MR. JENKINS: Do you have a 1-800 number?

6 MR. LAY: No, we don't.

7 MR. JENKINS: Have you explored that  
8 consideration?

9 MR. LAY: We've thought about it, but I  
10 think that's, probably, a good idea.

11 MR. JENKINS: Because that's something, in  
12 retrospect, we recommended for the State of Nebraska  
13 some years ago. The state Human Rights Agency there.  
14 We've recommended that for the Missouri Human Rights  
15 Agency.

16 MR. LAY: I think --

17 MR. JENKINS: Some of the agencies have  
18 carried through with that and it's a good return for a  
19 small outlay of capital on that.

20 MR. LAY: Yeah. I looked into that one  
21 time, about the cost. It don't cost much.

22 MR. JENKINS: Right.

23 MR. LAY: And it's just an idea that's come  
24 up and slipped away. So thanks for mentioning it again.

25 MR. JENKINS: I'm quite sure the Committee



1 will come up with quite a few more recommendations --

2 MR. LAY: Okay.

3 MR. JENKINS: -- for you and your agency.

4 MR. LAY: That's what I'm here for, also.

5 CHAIRPERSON ROIJAS: Well, it seems that  
6 fear of retaliation is a very serious dynamic in people  
7 reporting acts of discrimination, unfair treatment,  
8 whether it's in housing or employment, national origin,  
9 whatever.

10 What do you think -- First of all, is there  
11 any way of -- of addressing that issue and, if there is,  
12 what do you think it is? Two, could knowledge of  
13 people's rights help decrease that level of fear of  
14 retaliation? Because we are finding even asking people  
15 to testify before this Committee, the fear of  
16 retaliation. Many have backed out. Some backed out.  
17 If one backs out because they're afraid, you know, it's  
18 an issue.

19 MR. LAY: It is an issue.

20 CHAIRPERSON ROIJAS: If just one.

21 MR. LAY: Several years ago I traveled up to  
22 Nebraska and stayed up there for a little over a day,  
23 went through their whole agency to see how they were  
24 doing things and so we could see if we could do them and  
25 find anything we could do better. I also went to the

1 Iowa Commission and one of the things that I picked up  
2 off of that was that they do notify the -- the  
3 respondent at the time that the complaint is filed that  
4 it's illegal to retaliate and, like I say, they have a  
5 special little form they put in the pocket and we  
6 started doing that and I thought -- I'd anticipated  
7 that our retaliation rates would go down. They didn't.  
8 They just kind of nudged down a little bit and --

9 CHAIRPERSON ROIJAS: I see.

10 MR. LAY: And now the only -- I don't know  
11 the answer to that, because I've -- I've seen personally  
12 expressed by respondents how angry they can get when a  
13 complaint is filed against them.

14 CHAIRPERSON ROIJAS: Uh huh.

15 MR. LAY: To relate a personal circumstance,  
16 an occasion that happened a number of years ago in our  
17 agency. The secretary on the front desk called me and  
18 said there is a very angry man up here that wants to  
19 talk with you and so I said okay and so I met him and  
20 brought him back to my office and he looked like a very  
21 successful business man and he had called -- he'd been  
22 over to the YMCA to work out and he came back and he  
23 called his office and his secretary told him there's a  
24 complaint filed against you alleging discrimination by  
25 this person and he said I -- I am so made, and he was

1 shaking, he said I am so mad that I could rip his skin  
2 off, and he indicated the color of the skin, right now  
3 if I had it and he said I go to church with this man,  
4 he's worked for me 20 years, why didn't he come to me  
5 and tell me.

6 So I settled the man down and tried to get  
7 him not to take any violent action and --

8 CHAIRPERSON ROIJAS: Especially, rip his  
9 skin.

10 MR. LAY: Basically, that. And so we  
11 resolved the complaint later. We met with them both and  
12 it was a case of misunderstanding.

13 I don't know how to resolve the issue. I  
14 don't have the answer to how to work effectively against  
15 retaliation. We're already warning them, stating the  
16 law to them, unless they take some drastic action and  
17 make that particular act a criminal act of some kind,  
18 that retaliation for somebody who has filed a complaint,  
19 a criminal act of some kind or make it a fine, a civil  
20 penalty.

21 You know, there's a -- in our housing law  
22 there's civil penalties now. Ten thousand for the first  
23 offense, twenty-five thousand for the second offense,  
24 and fifty thousand dollars for the third offense in  
25 violating the housing law and that's having an impact on

1 housing discrimination. Housing discrimination cases  
2 are going down in this state and that's a big penalty,  
3 but I think it's going to have a big effect on the  
4 housing discrimination activities nationwide.

5 It's something that we're concerned about.  
6 Right now I don't have the answer, but, because it's in  
7 the forefront of our mind, I think it's something we're  
8 going to be working on.

9 CHAIRPERSON ROIJAS: Very good. Any other  
10 questions?

11 MR. ACRE: I think one thing, going back to  
12 the establishing an office in western Kansas, the  
13 feeling, as you mentioned, of security and feeling  
14 they're more apt to come into an office here and work  
15 with them, rather than the fear of driving clear into  
16 Topeka, they feel that, when they go into Topeka or even  
17 into Wichita, they are in entirely different, unfamiliar  
18 territory and, if they're here in their own territory,  
19 they feel safer about it and are apt to go ahead to work  
20 to a better degree.

21 They are going to go ahead and work with  
22 this and this is the thing that, since I have not been  
23 on the Commission the last two years, people have come  
24 to me and I have counseled them on a lot of different  
25 things in telling them where to go because they feel

200  
1 someone in the area that they live they can go to and  
2 talk to them a little bit it easier than someone in  
3 another area.

4 MR. LAY: I think that's right and just --  
5 just the distance having to travel there --

6 MR. ACRE: True.

7 MR. LAY: -- and get some kind of personal  
8 assistance is a -- is a real burden. Like you say,  
9 maybe, it will be helpful to have this -- to have this  
10 person in Dodge City, Mr. Kenton and that Commission.  
11 Maybe they -- We just got started on that. So, maybe,  
12 that will help some and, maybe, we can expand that in  
13 some fashion, I don't know, with the city.

14 But I can see where the need is at. It's  
15 certainly there. There's a lot of -- I feel there's a  
16 lot of different kinds of issues that -- that are faced  
17 out here in terms of discrimination than there are faced  
18 in the urban areas in Kansas City and Wichita.

19 Just the incident I read about in the  
20 newspaper just recently about the van load of  
21 individuals who were taken across the county line and  
22 dumped out in the road across the county line. You  
23 know, that doesn't happen to people in Kansas City or  
24 any other ethnic group. So that's a different kind of  
25 issue that's facing people.

1 CHAIRPERSON ROIJAS: Thank you very much for  
2 your comments.

3 MR. LAY: You're very welcome.

4 CHAIRPERSON ROIJAS: We appreciate your --  
5 the information that you have provided, the statistics.  
6 They're very thought provoking and we appreciate your  
7 efforts and you have really given us a lot of food for  
8 thought. Knowledge is power. That, I think, is the  
9 basis of your presentation and I appreciate it. I'm  
10 sure the Commission does, too.

11 MR. LAY: Thank you very much.

12 CHAIRPERSON ROIJAS: Thank you.

13 MR. LAY: And any time any of you would like  
14 information from the agency, please give me a call and,  
15 and, if I can't -- if I don't have it on my fingertips,  
16 why, I'll find it for you and I'll answer the questions  
17 and any input that you want to give me, I'd be glad to  
18 work with.

19 I think we're on the way and -- I'll just  
20 leave you with this thought. I think, after several  
21 years of turmoil, I guess you'd call it in a way, we're  
22 really on the way, I believe now, with a good  
23 relationship with the legislature from what I saw this  
24 summer with the Federal/State Affairs committee I  
25 reported to, because we were able to give a good report

1 and so I'm -- I'm optimistic. I remain optimistic in  
 2 this legislative session and I think we're on the way.  
 3 I think we're on the way to a more effective Commission  
 4 that will address the complaints sooner and -- than has  
 5 been in the past and so I'm looking forward to it.

6 CHAIRPERSON ROIJAS: Thank you very much.

7 MR. JENKINS: For the record, I want to  
 8 report that the Chairperson of the Committee, of our  
 9 Advisory Committee, Jake Gordon and I, met with Donald  
 10 Lay -- I mean Bill Lay -- Robert Lay -- I'm sorry -- and  
 11 the commissioners on several occasions and have been  
 12 working with the Kansas Commission and trying to forge a  
 13 relationship between our committee and the Kansas  
 14 Commission.

15 CHAIRPERSON ROIJAS: Very good. Thank you.

16 MR. LAY: Okay. Thank you.

17 \* \* \* \* \*

18  
 19 CHAIRPERSON ROIJAS: Our next presenter is  
 20 David L. or Dave L. -- is it Guest or Geist?

21 MR. GEIST: Geist.

22 CHAIRPERSON ROIJAS: -- Geist.

23 MR. GEIST: Good afternoon, everyone.

24 CHAIRPERSON ROIJAS: Good afternoon.

25 MR. NULTON: Good afternoon, Dave.

1 MR. GEIST: My name --

2 CHAIRPERSON ROIJAS: For the record, please  
3 state your name, address, and occupation.

4 MR. GEIST: Okay. I'm the Executive  
5 Director for the Southwest Kansas Area Agency on Aging  
6 and our office is out of Dodge City. I guess I'll  
7 present -- I'll proceed with just a formal presentation  
8 and then take questions at whatever time, I guess,  
9 throughout my presentation that you would like to make.

10 CHAIRPERSON ROIJAS: Could you give us an  
11 address, please?

12 MR. GEIST: Yes. We're located at 601  
13 Central in Dodge City, Kansas.

14  
15 DAVE L. GEIST

16 EXECUTIVE DIRECTOR,  
17 SOUTHWEST KANSAS AREA AGENCY ON AGING  
18

19  
20 First of all, I want to thank the Advisory  
21 Council for having -- giving me the opportunity to come  
22 over and briefly talk about the services of the Area  
23 Agency and the relationship that we have with the  
24 minorities within our 28 counties.

25 You have before you a packet of information  
26 that I'll refer to a couple of items in there throughout  
27 my presentation.



1 First of all, you do have the -- this one  
2 here, "Better Ways for Better Days", which gives you an  
3 overview of the Area Agency and what it does. We are  
4 considered a not-for-profit corporation of -- of the  
5 State of Kansas. Our primary funding is from the  
6 federal government, as well as the State of Kansas,  
7 local participation and county forms of government. Our  
8 primary target, of course, is anyone over the age of 60.  
9 This one particular panel lists the services of,  
10 basically, what we provide and I -- I will spend just a  
11 few minutes talking about those.

12 As I said, our only requirement for -- for  
13 anyone to access our services here in southwest Kansas  
14 is that they be over age 60. Now the exception to this,  
15 of course, is our Section 8 rent assistance program, of  
16 which, then, they have to be low income families, low  
17 income older people, or disabled individuals and they --  
18 they can access our services.

19 There are no fees for our services. Simply  
20 the age requirement allows them to access that and they  
21 can make a contribution towards the service if they will  
22 or, if they wish, I should say, because we do know what  
23 it costs that provide that unit of service and any  
24 funding that we receive comes -- goes back -- or any  
25 project income, as we call it, goes back to the program

1 for additional services.

2           Within your packet, of course, you have some  
3 examples of some Spanish speaking brochures that we  
4 utilize to various services. This one is from the  
5 Kansas Department on Aging, which lists the many  
6 services that older people, older Hispanics, may take  
7 advantage of. The other one has to do with the cold  
8 weather rule that the Kansas Corporation Commission puts  
9 out and we do make this, these brochures, available to  
10 our communities that have a large number of minorities.

11           I do want to call your attention to the buff  
12 colored sheet, which does list our service -- counties.  
13 As you can see, we do represent or provide services to  
14 28 counties in southwest Kansas. There are 20,000  
15 square miles and we are by far the largest  
16 geographically of area agencies throughout the state.  
17 There are eleven of us total. We all provide similar  
18 services to -- to the older Kansans. As you can see,  
19 there are 39,000 older individuals and, according to the  
20 1990 census, there are approximately 1,776 older  
21 minorities, those over the age of 60.

22           On the right-hand side I've provided you  
23 with a summary of the number of minorities that  
24 participate in the program. This was as of September 30  
25 of this last year, which is, coincidentally, when our

1 fiscal year ended. We feel we have a good  
2 representation and provide as many of the services to  
3 the minorities as we can. Our primary minority count,  
4 of course, is Hispanics, but we do -- we are seeing a  
5 number of -- a few southeast Asians coming into the  
6 picture, as well.

7 Historically, out here the older minorities,  
8 particularly, the Hispanics, have a deep, unabiding  
9 respect for their old family members and so it's  
10 sometimes hard to try and provide services to them and,  
11 of course, with the southeast Asians, we are seeing a  
12 younger group of individuals and we're not seeing the  
13 age 60 population of that particular group.

14 But, as you can see, the programs that we  
15 offer, information referral, outreach, housekeeping,  
16 legal assistance, advocacy, education and training. The  
17 newsletter, of course, is one area that we try and hit  
18 the most of. Our older workers program is only in five  
19 counties and so we do serve a number of them. Our  
20 congregate meals program, we have a congregate meal site  
21 in 40 or everyone of our counties, 47 in total, which  
22 serves a number of our minorities and as well as the  
23 health and wellness.

24 Under age 60, of course, I said we had the  
25 Section 8 rent assistance program. This is a

1 certificate program whereas we offer to landlords the  
2 opportunity to pay them the fair market rent for -- for  
3 them to house a low income family or disabled individual  
4 and, as you can see, we have 202 certificates available,  
5 of which 66 of them go to minority families and so we  
6 have a 30% participation rate within that particular  
7 program.

8 In addition to that, on the white sheet, the  
9 Area Agency each year reviews or adopts and reviews a  
10 targeting plan and this gives you some ideas of the  
11 areas that we try and target in. We do put forth a  
12 great deal of effort to try and involve the minority  
13 communities as much as possible. This simply gives you  
14 an idea of the plans that we do go through or the steps  
15 that we go through each year.

16 There is one particular on this. Under the  
17 letter "J", I feel our best participation within the  
18 minorities communities is through the churches. We have  
19 an excellent rapport with the minority churches in our  
20 three larger communities or four larger communities and  
21 we seem to get a lot of our information and a lot of our  
22 participation from those particular churches and the  
23 relationship that we've developed with their ministers  
24 or key staff people within -- within those churches.

25 And so I noticed on your list that you do

1 have government and other agencies involved, but nothing  
2 about visitation from minority churches and so just a  
3 suggestion that you may want to explore within.

4 **CHAIRPERSON ROIJAS:** Thank you.

5 **MR. GEIST:** As far as the Area Agency's  
6 minority participation, of course, we do have minority  
7 representation, minorities represented on our board of  
8 directors, that meet each month. The Area Agency is  
9 unique in that it does receive allocations from the  
10 state and federal government, but the decision as to how  
11 to spend those monies is kept on the local level and so  
12 the local participants actually make those decisions, as  
13 opposed to the state or the feds coming down and saying  
14 you're going to spend it this way.

15 We also have minority participation on our  
16 advisory council, too, which, again, makes  
17 recommendations to the board of directors.

18 Basically, that's -- Oh. I've also  
19 provided you with a copy of our Annual Report that you  
20 can look at at your leisure, which gives you a lot of  
21 facts and figures and things like that relating to our  
22 operations this past year that ended September 30.

23 That, very quickly, is the -- a rundown of  
24 our services. I guess I'm open to questions right now.  
25 I'd be happy to answer any that you might have.

1 DR. SUH: Spanish? This is Spanish, right?

2 MR. GEIST: Yes. That's in Spanish.

3 DR. SUH: Is this the only one minority  
4 language you --

5 MR. GEIST: This is all that's available  
6 from the -- from the National Council on Aging, yes.

7 DR. SUH: Okay.

8 MR. GEIST: I have to admit that our -- our  
9 southeast Asian and our Laotian languages, as far as  
10 material, is somewhat limited as far as our publications  
11 and I believe that's because of the different types of  
12 languages that are spoken and the cost of producing  
13 those.

14 Once the demand, I think, or our numbers  
15 increase with the southeast Asians, of course, we would  
16 look very closely at providing brochures and information  
17 in that particular language. So...

18 CHAIRPERSON ROIJAS: One of the things that  
19 has become very evident to me that lobbying groups do  
20 make a difference. Particularly, with the type of  
21 information that you have for the -- for those, for the  
22 Area Agency on Aging, the disabilities community. They,  
23 too, have a strong lobbying arm and so that seems to me  
24 one of the major methods of getting the attention of the  
25 legislature and, also, of providing services to

1 individuals in the community. So --

2 And I know that a lot of effort is made by  
3 the Area Agency on Aging to make sure that -- insure  
4 that minorities are included in their advisory  
5 committees, as well as the boards.

6 However, as I look at the statistics about  
7 minorities being participants in the nutritional, the  
8 services that are provided, the numbers are very low.  
9 Has it been taken into consideration that there may be  
10 some cultural factors involved here? Why minority  
11 senior citizens do not take part in government services?  
12 Because I know that since -- for the 20 years that I  
13 know, first it was HEW and then the Department of Health  
14 and Human Services trying to figure out why Hispanics  
15 don't take advantage of nutrition centers and it's --  
16 it's a cultural thing.

17 MR. GEIST: It is. They may not like the  
18 food that's served. You know, we have tried different  
19 things to attract them, particularly, here in Garden  
20 City with the Senior Center, which is where our meal  
21 site is. Anything from having an ethnic food day to  
22 sending out the transportation bus to pick them up.  
23 They do have some Hispanics that do go to the meal site,  
24 but they're the ones that have been going for years and  
25 they're not the -- they're the old, old, if you will,

1 that have been here for years and, you know, they're  
2 just part of the community.

3 But we certainly have tried a number of  
4 plans, I guess, to try and attract the minorities to our  
5 meal sites and we'd be the first one to admit that we  
6 haven't been too successful and, I guess, it could be a  
7 matter of money.

8 We would certainly like to open up other  
9 meal sites, specifically, in minority areas, but it is a  
10 funding issue, of course, and in some cases here in  
11 Garden City it was felt that it wouldn't work, that they  
12 don't want to be segregated and broken off and then the  
13 same situation happens over in Dodge City, as well, on  
14 the east side. We do have a higher concentration of  
15 Hispanics, but they all go to the meal site and they  
16 don't want to be separated and we say, okay, fine, let's  
17 not put something there that won't work.

18 And so we're always looking for different  
19 ways to -- to try and improve the participation rates  
20 with minorities, but we haven't been too successful,  
21 so... Except for what we have been doing.

22 MR. ACRE: Along with that, the nutrition  
23 director is a dietitian and they've gone in with the  
24 dietetic ideas to various people and asked them what  
25 foods they could serve in the meal sites that would be



1 what they would suggest and she has had very little  
2 success in getting them to say what they would like to  
3 see in going through areas like that. I know they have  
4 worked with the nutrition sites and areas in this  
5 respect.

6 MR. HERNANDEZ: Madam Chair, I have a  
7 question.

8 CHAIRPERSON ROIJAS: Uh huh.

9 MR. HERNANDEZ: Since, I guess, 1974 or 73  
10 as the Older Americans Act came into effect -

11 MR. GEIST: Uh huh.

12 MR. HERNANDEZ: -- that one of the main  
13 issues is to keep the older person from staying into the  
14 house and from going into the rest homes.

15 MR. GEIST: Right.

16 MR. HERNANDEZ: So the social services  
17 centers were established and then, later on, the meal  
18 sites.

19 MR. GEIST: Uh huh.

20 MR. HERNANDEZ: And, again, I look at the  
21 figures here. Like there's, at least, the three cities  
22 that we're looking at, Dodge City, Liberal, and -- and  
23 Garden -- yeah, Garden. There's 1,078 over 60  
24 minorities. When you look at the congregated meals, you  
25 have 171 minority participation. And I might suggest

1 that there are ways to do it and there is one model in  
2 Kansas. There's a LULAC Senior Center in Topeka --

3 MR. GEIST: Uh huh. Okay.

4 MR. HERNANDEZ: -- that it's separate from  
5 some of the other meal sites. It's a larger city, but  
6 there are some implications for improving the numbers  
7 here and that's one suggestion, but --

8 MR. GEIST: Uh huh.

9 MR. HERNANDEZ: I think that access to  
10 services is important and, when you leave people out  
11 because they don't know of there's a language barrier, I  
12 think that that's where -- the type of things we're  
13 looking at. They don't know how to file complaints,  
14 but, you know --

15 MR. GEIST: Uh huh.

16 MR. HERNANDEZ: -- if they knew, would they?  
17 I don't know --

18 MR. GEIST: Well, I also, I think it -- I'd  
19 also would interject the fact that the minorities, the  
20 old minorities in the communities, have been a part of  
21 the community and they don't think of themselves as  
22 minorities, that they're just part of the community and,  
23 particularly, in some of our smaller towns, people don't  
24 begin to recognize that their minorities until somebody  
25 points it out to them, because they've just been --

1 they've been with the meal sites, they've been with the  
2 home care programs for years and it -- they sometimes  
3 become offensive when they have to stop and become  
4 counted as a specific minority within a community, even  
5 though they've been there for 30, 40 years, they've  
6 raised their kids, they're very much a part of the  
7 community, and people have to stop and think, well,  
8 yeah, they are a minority because of their race. So...  
9 But I -- I totally understand where you're coming from  
10 and I am familiar with LULAC in Topeka, too. So...

11 MR. HERNANDEZ: Good enough.

12 CHAIRPERSON ROIJAS: Thank you. Any other  
13 questions?

14 MR. JENKINS: No.

15 CHAIRPERSON ROIJAS: If not, thank you very,  
16 very much and we appreciate your presentation and for  
17 taking the time to come to help us.

18 MR. GEIST: Okay. Thank you again.

19 \* \* \* \* \*

20  
21 CHAIRPERSON ROIJAS: We will now recess for  
22 lunch and reconvene at 1:40, God willing and that we're  
23 able to eat that rapidly. Thank you.

24 (Luncheon Recess)

25 AFTERNOON SESSION

1                   CHAIRPERSON ROIJAS: Our hearings will now  
2 reconvene.

3                   John Deardoff, City Manager, for Dodge City,  
4 Kansas, is our first presenter for this afternoon.

5                   For the record, would you please state your  
6 name, address, and occupation?

7                   MR. DEARDOFF: Okay. My name is John  
8 Deardoff. I'm the City Manager in Dodge City, Kansas  
9 and I live at 2201 Robin Road.

10                  Good afternoon. It's a pleasure for me to  
11 be here today.

12                  Just to give you a little background on  
13 myself, what I've done for you today is put together  
14 some of my presentation in writing.

15                  CHAIRPERSON ROIJAS: Excellent.

16                  MR. DEARDOFF: And I'm going to be referring  
17 to that, but, obviously, I won't read that, but some of  
18 the things I'll refer to, maybe, you can get back. I  
19 know you're hearing a lot of information in the last day  
20 or so, so...

21                  But I've been the City Manager in Dodge City  
22 for about a year and a half and so in the past year and  
23 a half I'm beginning to -- one of my objective is to try  
24 to understand a little bit about what's going on in our  
25 community and its makeup. Prior to coming to western

1 Kansas, I was the Assistant City Manager in Hutchison,  
2 Kansas. So that's a little bit about my background.

3 Again, I want to thank you for the  
4 opportunity to be here today and commend your efforts  
5 for coming out in rural Kansas and trying to find out,  
6 you know, what's going on as far race relations go.

7 Dodge City, to give you a little background  
8 on Dodge City, is a growing community. Approximately,  
9 our population now is between twenty-two and twenty-  
10 three thousand people. Our minority population, as  
11 shown in the 1990 census, was 15%. However, realistic  
12 numbers are locally -- and I've heard anywhere from 30  
13 to 40% and people ask me -- I pretty much rely on about  
14 a 30% minority population, but, again --

15 CHAIRPERSON ROIJAS: You do?

16 MR. DEARDOFF: Yeah. You know, it depends  
17 on who you talk to on what numbers you're going to get  
18 on that, so... And the Hispanics origin, basically,  
19 makes up the majority of our minority population.

20 Our city government operates under the  
21 Commission/Manager form of government whereby we have  
22 five city commissioners that are elected at large on a  
23 non-partisan basis. They, then, in turn, hire a City  
24 Manager who runs the day-to-day operations of the city  
25 and advises them on policy implementation.

1                   Our current Commission makeup is five  
2 caucasian males. The city has in recent past had  
3 representatives on the Commission from the Hispanic  
4 community and from the Afro-American community.

5                   When I look at Dodge City as far as the  
6 segment of the populations, I, generally, try to -- I  
7 guess I see it as, really, three segments of the  
8 population. We've got the caucasian and we've got the  
9 resident Hispanic, which, to me, is the long-term  
10 Hispanics that have grown up in Dodge City, and then  
11 we've got the immigrant Hispanic.

12                   The immigrant Hispanics, obviously, have  
13 come to western Kansas, to Dodge City, for jobs and  
14 those are the jobs that are being provided by the  
15 packing plants that we have in Dodge City.

16                   Currently, we have two, two large packing  
17 plants. Excel Corporation and Hy-Plains Dressed Beef,  
18 which is now National Beef. Excel Corporation employs  
19 approximately 2,400 people and Hy-Plains/National Beef,  
20 employs just a little over 1,000.

21                   In discussing with the management of those  
22 firms, getting -- trying to get a feel as to, obviously,  
23 the number of employees, what is the makeup of that  
24 employment force and I'm told that it ranges between 60  
25 and 80% of the employment force at the packing plants is

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made up from the Hispanic -- the Hispanic community.

I guess in the last year and a half I've been talking with different people and just what I've been able to perceive I think there's -- there's kind of a split in the community as to the value of the packing plants. Obviously, there's a group in the community that see packing plants as a major contributor to the economic well being of our community. They provide a lot of jobs and the two that we have are very good corporate citizens.

But then you talk to other people, I think, that perceive the packing plants as they've come to Dodge City, they've created over-crowding in our schools, they've created an impact on our social services, some perceive that our criminal activity is up. And so there's -- I think there's some mixed feelings in our community on the value of the packing plants and I'll talk a little bit more about some of that in a little bit.

In the fall of 1992 the City Commission adopted an ordinance which created the Human Relations Commission and, in talking with some of the people, it's believed that the result -- and Frances serves on our Human Relations Commission there in Dodge City -- but, when I asked people what -- you know, why did the city

1 get into this effort -- and one of the answers that I've  
2 gotten, although I don't know that I've really got a  
3 clear -- a clear understanding of that -- is that in  
4 1992 or late 1991 there was an incident that occurred at  
5 one of the packing plants and I think it involved the  
6 union. There was some talk about racial tension there.  
7 And I think that then precip -- I guess, then, moved the  
8 Commission into the area that we need to -- to address  
9 that.

10 I'm very pleased with what the city's done.  
11 We've put together a Human Relations Commission. It  
12 consists of nine individuals, and without referring to  
13 the ordinance, there is some minority requirement to  
14 make up that committee.

15 The Committee itself, I think, in the last  
16 year and a half is struggling somewhat in terms of -- of  
17 in talking to, maybe, some of the members as to what the  
18 purpose is. Some of the people from the original  
19 appointment were ready to jump right in and -- and, you  
20 know, let's hear some cases and I think right now we've  
21 got our attention focused in on the need to educate, not  
22 only the Committee members themselves as to what their  
23 task is, but, also, to educate the community that that  
24 resource is there for them if they need it.

25 And recently we just entered into a contract



1 with the State of Kansas -- and I think we're one of,  
2 maybe, four or five communities that has a contract --  
3 whereby the state will refer cases back to our level for  
4 consideration and, I believe, right now we've got three  
5 cases that we're working on.

6 So I think that's an organization that's in  
7 place now that, as a city, we need to rely on to provide  
8 some leadership in educating our public on the cultural  
9 diversities that we're looking at and try to help people  
10 understand each other and I think our Committee is going  
11 to have to provide that leadership and I think we're  
12 well on our way in that -- in that effort.

13 A little bit about the city employment.  
14 We've got approximately 176 employees -- and I've got  
15 some information in your packet on that -- and our  
16 minority population, at least, within our employee  
17 ranks, is right at 12%.

18 I think we, as an organization, are very  
19 cognizant of the need to actively recruit minority  
20 populations, simply based on the fact that we have a lot  
21 of minorities in our community.

22 One of the things that -- that we've  
23 concentrated on, particularly, is in the Police  
24 Department.

25 When I came to Dodge City about a year and a

1 half ago, we'd got what we consider, probably, a 30%,  
2 maybe, Hispanic population and on our Police Department  
3 at that time we had no officer that could -- that could  
4 speak Spanish and so, actively, we went out and promoted  
5 the recruitment of bilingual officers and, since that  
6 time, we've got now two on the force that are bilingual  
7 and I think that's going to be -- pay great dividends  
8 for us, because I think, as a Police Department in our  
9 community it's difficult to deal with all the issues  
10 that we're dealing with with that communication gap  
11 there. So we're -- we're real pleased with that.

12 The other thing we've done there, not only  
13 in the Police Department, but citywide a policy that we  
14 implemented about year ago is a bilingual skills program  
15 whereby we provide incentive pay to any city employee,  
16 whether it be in the Street Department, in the Park  
17 Department, or the Water Department, or the police,  
18 additional pay if they can -- and we put them through a  
19 very simple certification process -- if they can show  
20 that they're bilingual and that gets back into the  
21 delivery of services for the city that, if we can't  
22 communicate effectively, then we're going to have a  
23 difficult time in our service delivery process and  
24 that's been -- been a real good program and I think  
25 we've got, maybe, seven or eight employees now that have

1 went through the certification and are providing that  
2 service for us and -- So it's been a real good program.

3 And on our boards and commission, that's an  
4 area where I think we're a little lax in our minority  
5 participation in that. We've got, roughly, 20 different  
6 advisory boards that advise the City Commission on  
7 different -- on different issues and makes up about 129  
8 possible appointments to our committees. Right now  
9 we've -- 93% of those positions are filled by  
10 caucasians. We've got Hispanics represent about 7% of  
11 the participation in the boards and commissions.

12 Efforts that we're making to try to get some  
13 more participation in that area, we advertise,  
14 obviously, in the local paper, we advertise in a  
15 Hispanic newspaper and we've, and we've also put some  
16 advertisements on some of the bulletin boards of some  
17 our larger employers that have a lot of Hispanic  
18 employment.

19 Another area that, I guess, we're looking to  
20 recruit from -- and, I think, that's, probably, the best  
21 term for it is a recruitment program -- and Dora Falcon,  
22 who I think was here yesterday may have talked about the  
23 Hispanic leadership program and the city, we've been  
24 very active in that program and, you know, we think  
25 there's a real future there and we've been lucky that in

1 the first two classes we've been able to recruit some  
2 individuals on to some of the advisory committees.

3 And one of the problems we had the first  
4 year they had real good participation. Last year it was  
5 difficult for the organizers to attract Hispanics into  
6 that program and so we're trying to work with them to  
7 try to do a better job of that and, you know, what we're  
8 finding through that program is it's an opportunity, not  
9 only for the city to educate individuals on city  
10 government, but it's also an opportunity for us to tell  
11 them some of the things that they can do to get  
12 involved.

13 And we're not just talking about advisory  
14 committees, because, you know, ultimately, you know,  
15 some of these individuals are going to want to be on the  
16 City Commission and I think a lot of times, if you can  
17 spend a little bit of time in some advisory boards and  
18 get an understanding of the city, it's almost just a  
19 gradual move up to, maybe, an elected -- an elected  
20 position.

21 But the bottom line there, I think, too, is  
22 not only that we need to make the effort, but there has  
23 to be an interest from the Hispanic community to get  
24 involved and the tradition in Dodge is I go back to the  
25 resident Hispanics. They have held leadership positions

1 in the community, still do. You see them on different  
2 boards, but we've got to get some of the new immigrant  
3 population involved in our city government.

4 One of the other areas that I wanted to  
5 comment on that, I guess, I've been able to notice in  
6 the past year and a half, based on just my observations  
7 and, also, from comments that people make to me and in  
8 basic contacts with the city about problems and that has  
9 to do with neighborhood decline.

10 What we're talking about there is there's a  
11 lot of modest neighborhoods in our community, long-  
12 standing neighborhoods that have been there, individuals  
13 have lived in the same home, retired there, planned to  
14 live there until they either die or move on to a  
15 retirement home and they're used to the quiet  
16 neighborhood and they're used to knowing their neighbors  
17 and they're used to communication, and, you know,  
18 everybody kind of understands everybody.

19 Well, what's happening is that, as some of  
20 these houses become available, they're being purchased  
21 and housing is a real issue in Dodge City right now and  
22 it is, I'm sure, in all the southwest Kansas  
23 communities, and they're being turned into rental  
24 properties and the renters are the immigrant Hispanics,  
25 also caucasians that are coming in for the jobs at the

1 packing plants, and so what we've got, in my opinion, is  
2 a real conflict there brewing, basically, that we've got  
3 people living side-by-side and they have a difficulty  
4 understanding each other and I think it's evident in  
5 light of some of the recent actions that the City  
6 Commission has been asked to take.

7 We've got people calling us saying you need  
8 to help us clean up our neighborhoods and keep them from  
9 decaying and a couple of things that we've done within  
10 the last two or three months is that, No. 1, we've  
11 adopted an ordinance that prohibited parking of cars on  
12 front yards. Never really -- You know, in years past  
13 that wasn't a big issue. It's a big issue now.

14 We adopted an ordinance that I think Garden  
15 City already had in place and that was that you cannot  
16 slaughter hogs in your back yard.

17 And, you know, you talk to other communities  
18 in the state and, you know, I've contacted the League  
19 and I said, you know, I need an ordinance on -- do you  
20 have an ordinance on file about people slaughtering hogs  
21 in back yards. Well, it's not a problem in every  
22 community, but it's a problem out in southwest Kansas.

23 And so, you know, we've taken those steps  
24 and the slaughtering hogs was, I mean, obviously, the  
25 aftermath and the dumpsters that was an issue, but, you

232  
1 know, some of the complaints we got is from people that  
2 just couldn't believe that people would go out and bring  
3 a live hog to the house and as part of the, I mean,  
4 celebration or whatever, they would kill it, butcher it,  
5 cook it, and eat it, all on the same day. It was hard  
6 for people to understand that and I guess that gets back  
7 to -- to us understanding each other and what our  
8 cultures are all about, so there's a conflict there.

9 And the other thing that we're looking at is  
10 a minimum housing code. That'll be going to the City  
11 Commission, probably, in January. A very aggressive  
12 program to enforce minimum housing codes and that's  
13 really going to be targeted at some of our landlords who  
14 have a lot of properties that are not up to par.

15 We've got many people living in one unit and  
16 we really haven't aggressively pursued that, because one  
17 of the people tell us, well, if you aggressively pursue  
18 that, where are these folks going to go live, because we  
19 do have a housing shortage and so we've got some housing  
20 projects that are currently in place that are going to  
21 increase our stock, but I think people who live in  
22 neighborhoods deserve the opportunity to maintain that  
23 neighborhood pride that they've known and I think  
24 through a little work and education we can do -- we can  
25 go a long way in that area.

1           So, I guess, you know, just kind of in  
2 summary of some of my comments, and then I'll be glad to  
3 answer some questions, my perception, I guess, overall  
4 is that I don't think there's a real ground swell of  
5 racial tensions in Dodge City and that's a question that  
6 was asked of me at one time, but I think, I guess, with  
7 any community that potential is there if we don't,  
8 maybe, kind of address it and begin to understand some  
9 of the things that we're going to have to do as a city  
10 and it's not going to be the city alone. We need --  
11 You know, it needs to be a community effort in trying to  
12 come together and realize that -- that the ethnic makeup  
13 of our community is changed and I don't see it going  
14 anywhere else but up, as far as the minority population  
15 in our community. It's going to continue to increase as  
16 long as we rely on agriculture and packing and  
17 processing as one of our major economic development  
18 activities and I think the future is that that's,  
19 probably, what's going to be there. So we need to  
20 prepare ourselves for that.

21           So, I guess, I'll close with that and I hope  
22 I was able to address some of what you're trying to  
23 accomplish here and, having been -- only been in Dodge  
24 City for a year and a half, it was real difficult for me  
25 to know a lot of the history and, you know, some of the



1 undertones that are, probably -- probably, there and,  
2 maybe, I just need to talk to the right -- the right  
3 folks, but that's just some of the comments I have based  
4 on the last year and a half that I've spent there.

5 So, again, I appreciate the opportunity to  
6 be here today and the information that I've given in  
7 front of you, I think, supports some of the things that  
8 I've talked about, but -- So I'll close with that and  
9 be happy to answer any questions that you all might  
10 have. So...

11 CHAIRPERSON ROIJAS: All right. Any  
12 questions from the Committee?

13 DR. SUH: I was told that there are about  
14 900 -- over 900 east Asians in your city.

15 MR. GEIST: Well, that's a good question and  
16 I was -- you know, when I was looking at the minority  
17 makeup of the community, it's difficult -- I,  
18 personally, and, in fact, I was having a conversation  
19 with Bob Halloran, City Manager in Garden, here the  
20 other day about that. You know, my perception is that  
21 we have a very low Asian -- Asian population and I think  
22 we do, but I don't see a lot of Asians in our community  
23 and I'm not even sure what the percentage is. I'm sure,  
24 when the census comes out, we'll, probably, see that,  
25 but I think it's very low.

1 I think years ago, when the packing plants  
2 first came, we had a very significant -- a fairly  
3 significant population and I think that's declined over  
4 the years as they've went to other communities. But  
5 you're, probably -- that's -- if it was 900, I would  
6 be surprised, but, again, that -- that's very possible.

7 CHAIRPERSON ROIJAS: I've heard comments all  
8 through this hearing and you also state that about 60 to  
9 80% of the workers at the packing plants are Hispanics  
10 and, unofficially, 30% of your population is Hispanic.  
11 Have you made efforts to communicate? Obviously, the  
12 packing plants, from what we're hearing, those workers  
13 are traditionally from Mexico with little or no English  
14 speaking ability. What has been done or are you -- do  
15 you have something in mind to communicate with them so  
16 that they will know, you know, what their rights are?

17 Because I've heard that there are areas  
18 where, when it's an adverse type situation, then there  
19 are signs in Spanish stating you will not or thou shalt  
20 not, but -- and that's important, but, just as  
21 important, is what the benefits and what the rights are  
22 of the individuals. What are you doing to help solve  
23 that problem?

24 MR. GEIST: I think that's a very good  
25 question. I think that's one of the -- I mean right

1 now I don't think there's a lot going on in that area.  
2 I know the employers, in my conversations with them,  
3 have an employee orientation program where they, new  
4 employees, come in and kind of go through the basics of,  
5 you know, what you do and what you don't do and what  
6 these laws are and those laws are.

7           You know, I guess the only way and -- maybe,  
8 I'm not addressing your question -- is that, you know,  
9 when we're passing some of these new laws, it's easy  
10 just to do the ordinance, run a publication, it's law.  
11 But we're doing a lot more than that. We're trying to  
12 communicate that, obviously, in Spanish, but spending  
13 some time at the packing plants with certain -- you  
14 know, in employee lounges and what-have-you, to try to  
15 communicate that, hey, it's against the law to do,  
16 maybe, what you've been doing.

17           •           I guess that's, really, the only thing that  
18 I can think of that, really, is going on. There's,  
19 probably, not a big effort, other than, maybe what the  
20 small effort that's being made by the -- by the packing  
21 plants and, you know, it could be a situation where we,  
22 different groups, need to get involved in that  
23 orientation process, but I do know that the new  
24 employees that come in -- I've never sat through one --  
25 go through a short orientation about, you know, this is

1 the United States and, you know, the laws of Dodge City,  
2 and, you know, driver's license and some of the basic  
3 things that go with -- the basic things that go with  
4 living in -- in America. So...

5 CHAIRPERSON ROIJAS: Well, it seems to me  
6 like your Human Relations Commission would be an  
7 appropriate place to start addressing the issues to be  
8 sure that there are notices in Spanish so that people  
9 that are providing to the economy of Dodge City, because  
10 they're paying taxes --

11 MR. GEIST: Right.

12 CHAIRPERSON ROIJAS: -- and that's the way  
13 it should be explained to the community, these people  
14 are bringing money into your city.

15 You said that you were advertising in paper  
16 and in the media, for these advisory commissions and  
17 boards.

18 MR. GEIST: Right.

19 CHAIRPERSON ROIJAS: In the Hispanic  
20 community, Hispanics do not answer ads and so that  
21 you're wasting your money.

22 MR. GEIST: I didn't realize that. I mean I  
23 didn't -- That's good information.

24 CHAIRPERSON ROIJAS: Yeah.

25 MR. GEIST: I know that, well, we've got to

1 make some effort.

2 CHAIRPERSON ROIJAS: Well, but - - -

3 MR. GEIST: And, maybe, somebody needs to  
4 help us with understanding. We get back to this culture  
5 bit.

6 CHAIRPERSON ROIJAS: Well, if you would like  
7 to have some help --

8 MR. GEIST: Yea.

9 CHAIRPERSON ROIJAS: -- do not hesitate to  
10 call me --

11 MR. GEIST: Yeah.

12 CHAIRPERSON ROIJAS: -- because we have  
13 found that -- that, even advertising in Spanish papers  
14 people, Hispanics, do not answer ads. So that -- And I  
15 think there was a -- someone spoke about a committee  
16 where there were Hispanics who took part in -- in  
17 education. So I know there's people out there who are  
18 willing to participate --

19 MR. GEIST: Yeah.

20 CHAIRPERSON ROIJAS: -- but many times it's,  
21 you know, I think what has to be always kept in mind  
22 that many people will go to certain people whenever  
23 like, you know, there's a few Hispanics you go to.

24 MR. GEIST: Right.

25 CHAIRPERSON ROIJAS: And they're going to

1 keep recommending the same Hispanics, but there's a lot  
2 of talent out there and there's a lot of talent in the  
3 people that are coming from Mexico. Many are very, very  
4 well educated and I would suggest that that may be  
5 something your Human Relations Commission would also  
6 start addressing whenever you --

7 MR. GEIST: Great. Appreciate that.

8 Because you are right. It's the same -- the same people  
9 involved and the same -- and you go to them and there's  
10 a whole out there. So...

11 MR. HERNANDEZ: A couple of comments. I  
12 want to raise the housing issue, but, I think, that I  
13 read in one of the Dodge City newspapers that a person  
14 in terms of your own Fire Department has done some  
15 safety tips in Spanish, which, I think, has been a great  
16 help in terms of the life style of the new immigrant.

17 MR. GEIST: That's true.

18 MR. HERNANDEZ: And, again, it's a cultural  
19 thing in that, you know, they're like -- they're like  
20 three, six months from the ranch in Mexico where they  
21 can slaughter --

22 MR. GEIST: Exactly.

23 MR. HERNANDEZ: -- in their ranch back yard  
24 and I think I watched the City Commission meeting where  
25 there is an ordinance that you can't kill within the

1 city limits, but Excel and Hy-Plains is within the city  
2 limits.

3 MR. GEIST: Yeah. We excluded the packing  
4 houses.

5 MR. HERNANDEZ: But, back to the apartment,  
6 the residences that are put up --

7 CHAIRPERSON ROIJAS: They excluded them.  
8 Money.

9 MR. HERNANDEZ: -- as rentals. Fifteen --  
10 They complain about fifteen persons to a house, but, do  
11 you know, if landlords charge per person \$100.00 a  
12 month, \$1,500.00 per month for each house and that as  
13 compared to \$400.00 --

14 MR. GEIST: Yeah.

15 MR. HERNANDEZ: -- for other houses a month.  
16 Now is there some kind of rip off here or not?

17 MR. GEIST: Well, I -- I think it's,  
18 probably, safe to say that there's some of that going  
19 on. I mean I have no documented evidence that it's  
20 going on. I mean people are telling us that it's going  
21 on.

22 I guess my comment would be that I think  
23 it's going on, there isn't any question about it, and  
24 those are going to be some of the issues that are going  
25 to be addressed on this minimum housing codes because

1 there are requirements on the number of individuals that  
2 can live within, you know, a family residence and --  
3 But, again, I have no documented proof on that. That's  
4 one of the situations where it would be difficult to  
5 document that. So...

6 CHAIRPERSON ROIJAS: It would?

7 MR. GEIST: Yeah. I mean --

8 CHAIRPERSON ROIJAS: Well, I mean can't you  
9 just kind of have somebody go to a house and ask what  
10 they're paying?

11 MR. GEIST: Well, but I think what you get  
12 into is a lot of -- there's not a lot of cooperation,  
13 because people that you're going to talk to, they want a  
14 place to live and --

15 CHAIRPERSON ROIJAS: Okay.

16 MR. GEIST: -- and, you know, and that gets  
17 back to the issue of aggressively enforcing these  
18 issues, as well. That means that, if there's 15 in one  
19 house, then, you know, some of them got to find another  
20 place to live and, maybe, those options aren't there for  
21 them. So you run into that, but I think we're going to  
22 be hitting that head on if and when we get the minimum  
23 housing code implemented, because we are looking at --  
24 there'll be a lot of -- a lot of issues raised on  
25 whether, in fact, we should do that and we haven't even



1 really started on the public hearings on that. So...

2 MR. ACRE: One of the questions that has  
3 come to mind and I know I've heard this asked by some of  
4 the people, rather than going in and abiding by some  
5 housing codes, bringing their housing up to code that  
6 are under code now, but are still giving people property  
7 to live are just destroying the house, dismantling them,  
8 tearing them down, rather than going ahead and meeting  
9 the -- They think this would be better.

10 Again, in doing this, we're making another  
11 cause by people, you know, causing less housing, but  
12 this is something that we do need to watch and work  
13 this.

14 MR. GEIST: Right.

15 MR. HERNANDEZ: Second question. Is the  
16 college still working with Excel, the meat packing  
17 plants, on education? I know at one time they had two  
18 specialists from the college that were going out,  
19 teaching various languages, going through with a  
20 government type class in this respect, working with the  
21 two entities, the college and Excel, working together on  
22 that?

23 MR. GEIST: I -- I'm not aware of that,  
24 Frances. Larry, are you aware of any -- any of that  
25 program?

1 UNIDENTIFIED: Unless it's involved with the  
2 ESL program.

3 MR. GEIST: Yeah. I'm not aware of what  
4 you're talking about. It may be a program that they've  
5 been doing, but I'm not aware of it. Sorry.

6 MR. HERNANDEZ: There is. The college has  
7 an adult learning center, outreach, in the Guadalupe  
8 Recreation hall.

9 MR. GEIST: Yeah, and the college is very  
10 active in the adult learning program, which involves a  
11 big portion of the Hispanics. So...

12 CHAIRPERSON ROIJAS: Any other questions?  
13 If not, we thank you very much for your presentation.

14 MR. GEIST: Thank you very much.

15 CHAIRPERSON ROIJAS: And for the time that  
16 you've given us.

17 MR. GEIST: Okay. Appreciate it. Have a  
18 good day.

19 \* \* \* \* \*

20  
21 CHAIRPERSON ROIJAS: Our next presenter is  
22 Robert Halloran, City Manager of Garden City.

23 MR. HALLORAN: Good afternoon.

24 CHAIRPERSON ROIJAS: For the record, would  
25 you please state your name, address, and occupation?

1 MR. HALLORAN: My name is Robert Michael  
2 Halloran. I live at 2105 Henderson Drive, Garden City,  
3 Kansas. I am the City Manager of the City of Garden  
4 City.

5 CHAIRPERSON ROIJAS: Thank you. Do you have  
6 a statement on the issue of race relations in western  
7 Kansas with reference to your job or community  
8 activities?

9 MR. HALLORAN: Yes, I do.

10  
11 ROBERT MICHAEL HALLORAN

12 CITY MANAGER,  
13 GARDEN CITY, KANSAS

14  
15  
16 I'm going to speak fairly extemporaneously.  
17 However, I have provided some additional information to  
18 that which was sent to Mr. Hernandez earlier this year.  
19 Some of that is updated information, but I will make  
20 reference to it throughout my remarks.

21 Garden City, Kansas has long been a very  
22 diverse community. The history of Garden City with  
23 respect to its minority populations, in particular, has  
24 been one of diversity; primarily, with the Hispanic  
25 community.

26 I've lived in Garden City now for 21 years.  
27 Of course, I know many people who have been born and

1 raised here, including my own wife.

2 The Hispanic community has traditionally  
3 been a large part of the community. Historically,  
4 probably, 20% of the population. Currently, we're,  
5 probably, a third of the population is now Hispanic,  
6 with another 6 to 7% southeast Asian and so I think,  
7 conservatively, we can look at Garden City, Kansas today  
8 with a minority component of approximately 40% of the  
9 population.

10 Garden City is a very rapidly growing  
11 community and has been for the last several years and,  
12 earlier than that, it grew very rapidly in the early  
13 '80s with the location of IBP and the construction of  
14 the Sunflower Electric Plant.

15 Traditionally -- or I shouldn't say  
16 traditionally. I think concurrently we have many  
17 minority segments of the community that contribute to  
18 the community. I'll speak first about the Hispanic  
19 community.

20 The Hispanic community really consists of  
21 two groups. As you might expect from my earlier  
22 summation of the community, we have had a Hispanic  
23 portion of the community that has been a vital part of  
24 the community for a long, long time.

25 Approximately half of the Hispanic community

1 that resides in our community. The other group is fairly  
2 new to the community and is also very dynamic. Because  
3 of the population or because of the employment that is  
4 available in the area, that particular group of the  
5 Hispanic community changes. It is very dynamic. It's  
6 make up is, probably, very young, mostly male, mostly  
7 involved with the work at the packing plants and, as a  
8 result, we, really, have two segments of the Hispanic in  
9 Garden City, in my opinion.

10 The Asian community is largely Vietnamese,  
11 but we also have some significant components of Lao and  
12 Thai in the community, as well.

13 If you walk into City Hall, you will see  
14 public instructions published or posted in three  
15 languages. To be absolutely correct in this community,  
16 we would need to do as the school district does and have  
17 seven languages available, but we have Vietnamese,  
18 Spanish, and English posted throughout City Hall and the  
19 public buildings in the community because those are the  
20 predominant languages.

21 It's a unique situation and one which we  
22 find quite exciting and it adds a lot culturally to our  
23 community, but it is different. It's a different  
24 atmosphere to work in.

25 As Mr. Deardoff indicated, there are certain

1 operational things that are necessary in order to  
2 function in a community like Garden City. One of the  
3 things that we have done for years is offer the pay  
4 differential for bilingual capability in public  
5 employees. We've offered that for about eight years now  
6 and it consists of a 2% hiring differential for a  
7 bilingual person, as opposed to one who is not bilingual  
8 and we place a mandatory requirement on bilingual  
9 capability in certain jobs in the Police Department, in  
10 certain jobs in the utilities, the City Clerk's Office,  
11 and certain jobs in the Planning Department and in the  
12 Park Department.

13 We find that the public contact in those  
14 particular departments requires us to be bilingual and  
15 so we do have mandatory hiring requirements for people  
16 to have bilingual capabilities for certain jobs. In my  
17 own office we have a -- one of the secretary's positions  
18 that is a mandatory bilingual position.

19 And we do that not trying to accommodate the  
20 population in our community, but I think as an  
21 understanding that this is the way it is now and this is  
22 the way it's going to be in this community; as a  
23 government, particularly, a local government that takes  
24 a lot of pride in being the closest one to the people  
25 and we pride ourselves in local government on being the

1 most responsive or the ability to respond the easiest to  
2 the public's needs.

3 That is something that we have to recognize,  
4 the makeup of our community and what they may have in  
5 the way of special needs and so bilingual capability and  
6 communication skills are absolutely necessary.

7 We, too, have many advisory boards in Garden  
8 City made up of citizens who have particular expertise  
9 or particular interest and provide recommendations and  
10 advice to the elected City Commission.

11 I'm not sure of the exact percentages. You  
12 have copies of the numbers there in front of you. We  
13 have had some success, I think, in trying to have boards  
14 represent the makeup of the community, but it is by no  
15 means absolutely accurate in the makeup of the community  
16 and, certainly, we need to do more, I think, in trying  
17 to have a fair representation of the public population  
18 represented on those committees.

19 Our own elected board, though, the board I  
20 serve, the City Commission, is made up of 40 or 60%  
21 minority, depending on what you want to look at it. We  
22 have three caucasians, two Hispanics, and one of those  
23 is a woman. So I think that --

24 CHAIRPERSON ROIJAS: You're counting it  
25 twice?

1 MR. HALLORAN: No. One of the caucasians is  
2 a woman.

3 CHAIRPERSON ROIJAS: Oh. I see. Excuse me.  
4 I've heard that -- I've seen that math used before.  
5 So...

6 MR. HALLORAN: Okay. All right. So I think  
7 we're fairly pleased with the makeup of the elected  
8 body, but I think the advisory boards and commissions  
9 that are appointed by the elected body need to be,  
10 perhaps, a little more representative.

11 One of the interesting things that the  
12 governing body has asked the staff to look at in more  
13 recent times is to find more youth representation on  
14 those advisory boards. We, I think, have really made an  
15 effort to try and cover the spectrum of business and  
16 race and gender and age, except for the youth in the  
17 community and we want to involve more youth on those  
18 advisory boards. Particularly, people at the high  
19 school and community college age level.

20 There has been -- Well, housing is a  
21 critical component in this community as -- as all of  
22 southwest Kansas. I'm sure that in your visits with  
23 representatives of the other communities they will cite  
24 housing as a -- as a critical need. Adequate,  
25 affordable housing.



1 Garden City is no different than the other  
2 communities in that we are under a terrible housing  
3 crunch and we are trying everything we can to alleviate  
4 that by enticing developers to build more houses. We're  
5 particularly interested in developing more affordable  
6 housing and permanent housing, ownership-based housing,  
7 rather than rental.

8 Mr. Deardoff cited a number of the things  
9 that Garden City is looking at as well as Dodge City,  
10 but I will tell you, and quite candidly, that one of our  
11 greatest disappointments is the fact that we could not  
12 get passed in this community a couple of years ago a  
13 fair housing ordinance with minimum -- some minimum  
14 standards.

15 We believe quite strongly that there are a  
16 number of housing areas in Garden City or a number of  
17 landlords in this community that take advantage of the  
18 critical housing needs in this community and, as a  
19 result, probably, make more money than they should off  
20 of less than standard housing available.

21 I would like nothing more than to sit here  
22 in front of you today and tell you that Garden City was  
23 actively pursuing a tougher housing ordinance, but we  
24 tried that a couple of years ago and that was a real  
25 political hot potato. A very difficult situation for

1 the elected officials involved. But I'm not saying that  
2 we have dropped it completely. The need is still there.  
3 We know that. We need to pursue that, in my opinion.

4 The dynamics of the ethnic makeup int his  
5 community, I think, is one of the difficult challenges  
6 for Garden City and, probably, some of the other  
7 communities in southwest Kansas, as well. To that end  
8 Garden City has had several programs that, I think, have  
9 been quite successful to make people feel welcome, to  
10 try and entice them to become permanent citizens of this  
11 community, and to make a contribution while they're  
12 here.

13 It's been mentioned in the earlier  
14 presentation about the Adult Learning Center. That's  
15 something that through the efforts of the community  
16 college, the school district, the city and the county  
17 that has been something that has been very successful, I  
18 think in this community to try and integrate the  
19 newcomer to the community, particularly, with the basic  
20 understanding of how to live and work and function in a  
21 new country, in a new environment.

22 It was pointed out to me the other day that  
23 what we need to do for some of the newcomers in the  
24 community is just post signs in their language that says  
25 you must have a license to drive in Garden City, you

1 cannot drink and then drive. Just some very basic  
2 things for these -- for these newcomers, because many of  
3 them do not understand that. It's not -- it's not  
4 something that they're used to.

5 But the Adult Learning Center, I think, has  
6 been very helpful in this community over the years.  
7 Very successful.

8 Another agency that you'll find here in  
9 Garden City is the Southeast Asian Mutual Assistance  
10 Association, which, again, is a very helpful  
11 organization as far as integrating the new Asian people  
12 in the community and has really been a source of  
13 guidance, a resource to those people as to who to  
14 contact for health care and getting their kids enrolled  
15 in school and any special needs that they have, that  
16 type of thing.

17 Those two stand out. The Mexican-American  
18 Ministries is another organization in this community  
19 really dedicated toward social service providing and  
20 health care and, more recently, the Community Health  
21 Board along with St. Catherine Hospital are looking to  
22 develop and expand the health care availability to many  
23 of our disenfranchised citizens in this community.  
24 People without health insurance who are here for that  
25 period of time before they obtain health insurance

1 through their employment.

2 One of the critical issues there is pre-  
3 natal care and pre-natal care education and inoculations  
4 for young children and that type of thing. Those are  
5 community issues that we're -- that we are very aware of  
6 and trying to deal with up front.

7 The inclusion of the minority community in  
8 Garden City is very important. We had -- and I say we  
9 had -- a Spanish speaking newspaper here, I think  
10 published by The Garden City Telegram, Las Somana. I'm  
11 not sure that Las Somana is still available and it was  
12 interesting your comment about the Hispanic people not  
13 answering ads. The Telegram provided that paper free of  
14 charge for a period of time to try and build its  
15 interest in the community. Organizations such as the  
16 city and the county and other public agencies advertised  
17 job openings and all of that type of thing, but then,  
18 when it came time for that paper to stand on its own  
19 through subscriptions, I'm -- I'm not sure that it --  
20 that it did and I don't think it is any longer available  
21 and that's sad to see, because that was a good newspaper  
22 and a lot of people did advertise in it. A lot of  
23 businesses did, but I'm not sure that it's still  
24 available.

25 There are some Spanish speaking radio

1 programs available and which are very popular, I think.  
2 So there's a number of mediums that we can communicate  
3 through, but, unfortunately, we do not any longer, to my  
4 knowledge, have a Spanish paper and I'm sad to see that.

5 We did have some particular specific  
6 organizations, such as an Hispanic Chamber of Commerce,  
7 but, rather than be separate, it's my understanding that  
8 that group decided to -- to be included and inclusive of  
9 the regular Chamber of Commerce in the community.

10 For years we have had an Inclusion Committee  
11 in the Chamber of Commerce, which has worked hard, I  
12 think, to involve the various segments of the community  
13 in the mainstream and in business, as the Chamber of  
14 Commerce would define it, and I think that's very  
15 important, but, nonetheless, some of the -- some of the  
16 surveys and studies that have been done with regard to  
17 being a better business resource for all of the citizens  
18 in the community are quite helpful, as well, and I'll  
19 cite a couple of examples there.

20 A recent survey within the last year cited  
21 that store clerks and business owners need to cater more  
22 to the non-English speaking peoples in the community.  
23 Have bilingual clerks assist those people, make them  
24 feel welcome, be friendly, all of that type of thing,  
25 and I -- I would hope that now with the melding of the

1 Hispanic Chamber and the regular Chamber that that type  
2 of thing will become commonplace.

3 We have seen a lot of Hispanic and Asian  
4 businesses begin and thrive in this community and we  
5 hope that continues, but, business being what it is,  
6 they need to serve everyone as a customer and not just a  
7 particular segment of the community.

8 With that, I'd certainly be happy to answer  
9 any questions that you might have.

10 CHAIRPERSON ROIJAS: Thank you. Does anyone  
11 have any questions?

12 MR. HERNANDEZ: Well, I guess the obvious  
13 one that we're trying to -- that we're searching for is  
14 the one of -- of we've heard some complaints, people  
15 that like, well, I don't want to go on record, but  
16 they've talked about DUI's --

17 MR. HALLORAN: Uh huh.

18 MR. HERNANDEZ: --and I think, maybe, the  
19 Police Chief might address this later on. They talk  
20 about how -- the trailers where they charge four hundred  
21 to four fifty a month for a dilapidate trailer and I  
22 think you folks had an ordinance on that.

23 MR. HALLORAN: Uh huh.

24 MR. HERNANDEZ: Ten years or older you take  
25 them out to the scrap heap or something.

1 MR. HALLORAN: Well, yeah, we did adopt an  
2 ordinance for manufactured housing that, if it does not  
3 have a HUD sticker, which means that, if it's pre-1982  
4 in Kansas law, that it cannot be located in Garden City,  
5 that's correct.

6 MR. HERNANDEZ: But the one thing that --  
7 that isn't -- We're trying to find out if there's a  
8 user friendly like Human Rights Commission. Would that  
9 work in terms of having to go to Wichita or to Topeka to  
10 file complaints that people where they've been  
11 discriminated with reference to employment, age  
12 discrimination, and on down the line? Do you have a  
13 Human Rights Commission here?

14 MR. HALLORAN: We do not have a Human Rights  
15 Commission as such in the community. To my knowledge,  
16 I'm not sure that there ever has been one. We had a  
17 human -- a human relations or what did we call that? In  
18 the mid-1970's there was an advisory board of that type.  
19 We currently have what we call a cultural relations  
20 board, which is an advisory board to the City Commission  
21 and some of the other public agencies in the community  
22 have similar types of things, but we do not have as such  
23 a Human Rights Commission in this community.

24 My own feeling that, with the ability to  
25 communicate as -- as effectively and as efficiently as

1 we have available to us today, I don't know that it  
2 would serve a necessary purpose having one in this  
3 community as long as access and response, either to the  
4 Wichita office or the Kansas City office of -- the  
5 Department of Justice has a Community Relations  
6 Division. We have had contact with those people on and  
7 off over the years. They're very responsive.

8 I don't know that it would serve a purpose  
9 to have a Human Rights Commission located here, as long  
10 as access and response to the agencies that have that  
11 responsibility is there.

12 CHAIRPERSON ROIJAS: However, to follow up  
13 on that, Ascension, some of the comments that we have  
14 heard is that, particularly, in the meat packing plants  
15 where there are large numbers of Hispanics, the majority  
16 of the work force being Hispanic, they are not able to  
17 promote beyond being on the line and the fact that they  
18 are -- and we have seen evidence of that in asking  
19 people to testify before our committee and because of  
20 either feeling threatened or fear of retaliation they  
21 have either chosen not to accept or those who -- some  
22 who have accepted have simply said they will be out of  
23 town.

24 So that, you know, I here some wonderful  
25 things, you know, and you should be an ambassador for



1 the city, but, to be an ambassador for all of the people  
2 and, you know, what we have found is that, until we  
3 admit that there are some problems, then there will be  
4 no resolution to the problems because we live in a state  
5 of denial and the reason why we are here, one of the  
6 reasons, is that we have had reports that there are some  
7 discrepancies, that not all people are treated equally.  
8 So that what would you do, when Ascension is asking you  
9 about a Human Rights or a Human Relations Commission,  
10 that will address these problems, because it's to the  
11 benefit of the entire community. That means that you  
12 will have less violence, less crime. You will have less  
13 disputes, less drugs, less alcohol, and you will have a  
14 much more vibrant community and I would think that this  
15 might be place to -- possibly, that out of this, this  
16 meeting, that you will consider a Human Relations  
17 Commission very strongly, because either -- either  
18 people are having an opportunity to advance in their  
19 jobs in the meat packing plants or they're not and it's  
20 pretty simple to find out.

21 MR. HALLORAN: Well, I -- I understand  
22 exactly what you're saying, but the sheer numbers, I  
23 think, work against some of the promotion opportunities  
24 that might be available for the workers out there and  
25 I'm not going to be a spokesman for the meat packing

1 industry, because I'm not that cognizant of what they're  
2 looking at, but --

3 CHAIRPERSON ROIJAS: And I'm using them just  
4 only as an example, because I have a feeling it's,  
5 probably, the same way across the board. Let's be  
6 honest with each other here.

7 MR. HALLORAN: Oh, I --

8 CHAIRPERSON ROIJAS: Between us, you know.

9 MR. HALLORAN: I think that the reality of  
10 it is -- is much as you say. I think the -- the  
11 opportunity for the minority community or the minority  
12 worker out there to go after promotions is there,  
13 however. I really do believe that; particularly, from  
14 the local government side.

15 In private business, the real stumbling  
16 block, I think, for most of the minority community in  
17 Garden City is that very few of them stay in the  
18 community a long period of time or a period of time long  
19 enough with which to either give the community a chance  
20 or take advantage of the opportunities that are  
21 available to them, you know.

22 I spoke of the dynamics of a certain segment  
23 of the community and it, primarily, is Hispanic,  
24 although it's Asian as well. The labor in the community  
25 involved with the meat packing industry, in particular,

1 is extremely dynamic. The turnover is great and many of  
2 the people do not stay with that position. It is very  
3 hard work. It is hazardous work. And so I really think  
4 that with that occupation there is little opportunity,  
5 because there's so much turnover involved and it's one  
6 of the problems in the community, as well, with -- with  
7 education and crime and all of those types of things.  
8 The fact that much of our population is turning over on  
9 an annual basis that really is a serious challenge for  
10 the community. It is.

11 I didn't want to lead you to believe that we  
12 are opposed to a Human Relations Commission here. I do  
13 firmly believe that the makeup of our community is going  
14 to be diverse. It, probably, is going to be more  
15 diverse as time goes on. It's one of those realities  
16 that the community must recognize and -- and develop.

17 CHAIRPERSON ROIJAS: As a dynamic population  
18 and dynamic work force as you say, it should also be --  
19 always be kept in mind that, as people leave, they leave  
20 their tax dollars here --

21 MR. HALLORAN: Uh huh.

22 CHAIRPERSON ROIJAS: -- and you have access  
23 to those monies and they don't benefit from them. So  
24 that's just food for thought. Thank you very much.

25 MR. ACRE: I did have one.

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CHAIRPERSON ROIJAS: Oh, I'm sorry. Go ahead.

MR. ACRE: With respect in noting the publicity that was given to openings on the various boards, the Cultural Relations Board, specifically, can you tell us what they in recent times, to your knowledge, have done to, quote, promote positive relations between the various populations?

MR. HALLORAN: Okay. Well, specifically, the charge from the governing body when the board was created three years ago was to take the Ford Foundation study of this community and with specific emphasis on recognizing those challenges and problems in the community to try and address those.

The first thing that they did was to work with all of the public agencies and, probably, more specifically, the city to develop bilingual forms to be used for when you walk into the Clerk's office to get utilities or information in Spanish and Vietnamese and Thai and Lao. If you run afoul of the Police Department, we have cards that we hand people who cannot speak English that explain what it we're doing. So that was the first project that they did. Basic communications types of tools. Particularly, forms.

The second thing they did was to tackle the

1 housing issue and they recommended to the governing body  
2 of the city that we adopt a minimum standards housing  
3 ordinance which during our public hearing component of  
4 that adoption became a very volatile public issue,  
5 unfortunately.

6 Now they are working with various outreach  
7 groups in the community to strengthen, I think, the,  
8 again, communications ties in the community.  
9 Particularly, on the health side in the community.

10 CHAIRPERSON ROIJAS: Any other questions?

11 If not, thank you very, very much.

12 MR. HALLORAN: Thank you.

13 CHAIRPERSON ROIJAS: We're kind of running a  
14 little overtime now and -- but we appreciate your  
15 comments --

16 MR. HALLORAN: Well, thank you.

17 CHAIRPERSON ROIJAS: -- and we will take all  
18 your information --

19 MR. HALLORAN: All right.

20 CHAIRPERSON ROIJAS:: -- and really look at  
21 it.

22 MR. HALLORAN: Okay.

23 CHAIRPERSON ROIJAS: Thank you.

24 MR. HALLORAN: Thank you.

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CHAIRPERSON ROIJAS: Our next presenter is  
Vernon (Sonny) Ralston, Chief of Police, Liberal,  
Kansas.

For the record, please state your name,  
address, and occupation.

CHIEF RALSTON: Ma'am, I am Vernon (Sonny)  
Ralston. I'm from the Liberal Police Department in  
Liberal, Kansas. Our address is 325 North Washington  
Street in Liberal. I am the Acting Chief of Police.  
I'm not the appointed Chief of Police. I'm just the  
Acting Chief of Police, if you could correct your -- and  
the reason I -- I state that is because we have hired  
one and it will be in my address that I present to you  
today. I'll explain that to you.

VERNON (SONNY) RALSTON

ACTING CHIEF OF POLICE,  
LIBERAL, KANSAS

It's a pleasure to be here today to visit  
with this Commission and try to be a part of the  
solution of -- of problems, instead of part of the  
problem and, as everybody here knows, we all have  
problems.

I had -- I find there's five questions that  
was addressed by Mr. Jenkins and Mr. Hernandez when they

1 talked to me. There was, basically, five questions they  
2 wanted to -- wanted me to, maybe, touch on. I'm going  
3 to try to do that.

4 My remarks will be, basically, over the past  
5 year or just a little over a year, because that's the  
6 time period that I've been the Acting Chief and that I'm  
7 totally responsible for what happened and so forth. If  
8 you have questions other than that, I'll do my best to  
9 answer them and do it in a fair and proper way.

10 My law enforcement career started in August,  
11 1962 with the Liberal Police Department. I've been  
12 there 33 years. I started out as a dispatcher. I  
13 worked my way through the department to sergeant, to a  
14 detective sergeant, detective lieutenant, to captain,  
15 and to the present position that I hold right now as  
16 Acting Chief of Police.

17 The second question that -- that is on the  
18 list is it asks for my assessment of and views of how  
19 the public look toward the Liberal Police Department.  
20 This is a real hard question to answer without a survey  
21 of some kind on account of a survey would give you a  
22 little better feel and input from what the public feels  
23 and problems and stuff like that. I think the last  
24 survey that was done was done like as much as, maybe,  
25 seven, eight years ago and would not be very accurate.

1 The way times change and all it would not be very  
2 accurate at this proper -- or at this present time.

3 However, I do feel that in my year that I've  
4 been in charge that the public has -- seems to  
5 appreciate many of the things we do with the tools that  
6 we have to work with and with the amount of help we have  
7 to work with and so forth. I think that they do have a  
8 good feeling toward the Police Department for this.

9 A good example of this -- and it kind of  
10 helps explain where I'm trying to come from -- we had an  
11 officer that was shot in the head by some juveniles  
12 several months ago. Within five minutes after the  
13 incident happened, we had people responding to this  
14 officer, to his family, to the Liberal Police  
15 Department, to the community as a whole. People  
16 responded and there was no race barriers. They didn't  
17 care what color anybody was. I mean they were coming  
18 from all walks of life to assist us in taking care of  
19 that situation.

20 This give us a real good feeling, because  
21 for days after the incident and the officer was laying  
22 in the hospital in Wichita, we still had people from all  
23 walks of life coming and asking if they could do this,  
24 if they could help, if they could furnish information.  
25 They brought food, they brought information, and they,



1 many, and many of them used their prayers to help us  
2 out.

3 To me, that shows that a community can come  
4 together and, even though we, probably, have problems  
5 with several of them that came forth and helped and  
6 we've had, maybe, some problems, everybody laid them  
7 aside and everybody become one group to take care of a  
8 situation that was very severe. Whether it be a  
9 policeman or whether it be an individual citizen out  
10 there, I feel that the citizens of Liberal can do that.  
11 They've showed us they can do that and I think it's  
12 important that -- that we know this.

13 So it's out there. We've just got to make  
14 it work in some fashion, whether it be -- It's sad that  
15 a policeman had to get shot to make it work, but it's  
16 out there, it can happen, and we just have to figure out  
17 the way and the ingredient that makes that come together  
18 for all of us. It makes our job easier. It makes their  
19 understanding easier.

20 We do have problems, just like everybody  
21 else, and our department isn't any different. Our  
22 biggest problem is, when I took over, we hadn't had a  
23 Chief of Police in 18 months. We had been through, at  
24 least, two City Managers in three years and so the  
25 management level was very -- was very movable. Other

1 words --

2 CHAIRPERSON ROIJAS: Unstable?

3 MR. JENKINS: Unstable?

4 CHIEF RALSTON: Yeah. Other words, we had  
5 to cope with adjusting to one person, adjusting to  
6 another person on account of everybody runs their own  
7 show. It's a given fact. I have my ideas. The last  
8 guy had his ideas and the same way with City Managers,  
9 with public officials. Everybody has their own ideas of  
10 how it should run and -- and this was a big problem.

11 So, other words, it kept things in kind of a  
12 turmoil in a way. We lost some officers out of the  
13 deal. We lost as many as six officers. Well, when you  
14 lose six officers out of a matter of 28, you're really  
15 hurting. You're hurting the services to the public.  
16 You're hurting ourselves. We're overworking our people  
17 and asking them to do things we shouldn't have to. The  
18 were our two main problems that we had.

19 So we hit the ground a-running, trying to  
20 figure out what are we going to do to correct this and  
21 the first thing is we got busy and we got some officers  
22 hire, we got them into training and we -- we upped the  
23 training to try to better go out in the community and  
24 meet with the people and the needs that the community  
25 had.

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Once we had our City Manager on board who's been there six months, he immediately started searching for a Chief of Police. One that would fit the community and one that would be a good public relations person that would be able to go out to the community and work with the different groups and -- and have an impact for the rest of us and we found that individual. I say we found him. Our City Manager found that individual over in Colorado. He's a retired highway patrol trooper and he will be taking charge in January the 2nd of 1996 and we're really looking forward to it. He's got a lot of good ideas. He's been 20 some years on the Colorado Highway Patrol, so he's not somebody that don't know what's going on. He's been in -- He's been through an era of when there'd been a lot of ups and downs and stuff, not only in our state, but in their state and stuff. So he's going to be able to help us understand and, maybe, start some new programs.

When we decided to build and try to make something good until we did get a Chief and get some of these things going, we started looking at programs for the kids. We started looking at programs that would help the kids and enhance them.

We looked at programs for training our officers better, to understand the minorities, to be

1 able to deal -- not only have them dealing with us, but  
2 us dealing with them out there in the community and we  
3 went -- we went and upped and enhanced our training  
4 program a little bit.

5 Then, in the near future, we are going to  
6 start a community policing program. They passed a bond  
7 issue in our community here last year to provide us with  
8 seven years of funding, which is going to be quite a  
9 large sum of money for different projects throughout the  
10 city.

11 One of these project was -- is to ear mark a  
12 certain amount of this money to work on education and on  
13 community policing. Get out in the public like in the  
14 old days when you had the beat cop that walked up and  
15 down the street and he shook hands with everybody and  
16 walked through the store and what-have-you.

17 In other words, that's what community  
18 policing's about and we're going to get back to that  
19 type of thing. We're going to try to -- try to get out  
20 there and meet with the public and answer their  
21 questions. Get on a more one-to-one basis instead of  
22 them seeing them whenever they get a ticket and that's  
23 the only time they get to see them. In other words, try  
24 to make it to where we're available to -- to answer  
25 their questions or, if we don't know, try to find the

1 answers for their questions and so forth.

2 At the present time, we have 20 sworn white  
3 officers. We have three white female officers. By the  
4 way, if you would like to have my -- my notes after I'm  
5 done and then you can make copies, you'd be welcome to  
6 them to save you a lot of writing, if you wanted to. We  
7 have one black male officer. We have two Hispanic male  
8 officers. We have one Japanese male officer and we have  
9 one Asian male officer that's a reserve officer. Also,  
10 have one reserve officer, male reserve officer, that is  
11 a Hispanic, and we have one white female reserve  
12 officer.

13 Then in the support services of our  
14 department, we have one white female. I'm sorry. One  
15 white male. We have two white females. We have one  
16 black female and one Hispanic female. One of the  
17 Hispanic -- The Hispanic female is in our records room.  
18 I also have -- The black female is a secretary to the  
19 Chief of Police.

20 We also have one Spanish female in the court  
21 system, which is in the same room with the records room,  
22 but they're under a different division, but we have two  
23 Spanish females that work the window, which has really  
24 enhanced our -- our communications gap that we've had  
25 for a long time and they also help with City Hall, with

1 the Water Department, with different people that have --  
2 have a communications problem and they go and one of the  
3 two of them will go help that.

4 The last question that was listed for me to  
5 make some comments about was what kind of relationship  
6 do we have with the -- with the news media.

7 That's kind of an up and down issue. We've  
8 had a real good relationship with the -- with the news  
9 media in generally speaking over the entire 33 years  
10 that I've been there. In fact, I went and worked, as I  
11 was a young boy going to school, I worked for ten years  
12 for the news -- for the newspaper office and -- and I  
13 continued having a good relationship with them right  
14 through the years.

15 However, laws change. As time goes, well,  
16 laws change and certain rights have to be preserved and  
17 so on and so forth and so the state law every once in a  
18 while comes in and mandates certain things you can and  
19 cannot do. Well, the KBI does that sometimes on account  
20 of they are our state agency that regulates our reports  
21 and the information that has to go to the state to be  
22 recorded and one of them is that we're only allowed to  
23 give out a certain amount of information to protect the  
24 privacy of individuals that are victims and it's hard  
25 for the news media to relate to that a lot of times.

1 They -- And I don't blame them for wanting more  
2 information to put out to the public, but you have to --  
3 you have to decide one way or the other and that's what  
4 the law's done.

5 They tell us we have to give them a certain  
6 amount of information, but they're trying to protect the  
7 young girl that got raped, the -- the individuals that's  
8 been -- that's been robbed and stuffed like that for a  
9 lots of money and then you put it in the paper and a big  
10 amount and then they go back and get robbed again  
11 because that big amount was in the paper. Well, they  
12 figure it's always that way.

13 So they tried to include some protection  
14 things into the law and it has kind of caused a little  
15 bit of a -- a rub, say, with the news media.

16 Well, in tackling that problem, we decided  
17 we'll give them what the law requires and then, if  
18 there's something major, we'll do a news release. We'll  
19 just do a news release and in that news release we can  
20 give them a little more information to help their story,  
21 to make their story, but we can guard against doing  
22 anything that will hurt our case in court or that will  
23 jeopardize the victim or the city or so forth and that  
24 has worked real well.

25 We have, really, been successful with that

1 theory of giving them a news release and then, if they  
2 need something else, they call the office and they say,  
3 hey, did you leave it out or can you not tell me or just  
4 what -- what can we -- can we get a little more  
5 information on this, we don't have enough, and that's  
6 just an eager reporter trying to get a little more  
7 information, you know.

8 So that's how we handle the -- that's how we  
9 handle the news media to try to get along with them,  
10 but, yet, try to protect the rights of the public and  
11 the citizens that have had some embarrassment or have  
12 had something bad happen to them. Then this is a way  
13 that we can -- can deal with that.

14 With that in mind, that closes my remarks  
15 and, like I said before, I will be glad to give this to,  
16 my comments here, to Mr. Hernandez and then he could,  
17 whenever I'm finished, and then he could make copies for  
18 you or whatever.

19 And, also, I've been working with Mr.  
20 Hernandez and just a -- just a thought that I've had  
21 here. I've been working with him. He had sent me a  
22 packet several months ago and the packet was quite -- I  
23 mean the request was quite lengthy and we're not totally  
24 up to date on computers and stuff like this and so some  
25 of the information he wanted I could understand him



1 wanting it for what need he had for it, but it had to be  
2 hand done. It couldn't be done by punching in some  
3 numbers and getting it like we wished it would. So it's  
4 taken a little longer to get the information together,  
5 but a lot of this stuff and a lot better explanation is  
6 going to be sent him next Monday on account of I'm just  
7 getting it finished up and you should have it sent to  
8 you like Monday.

9 CHAIRPERSON ROIJAS: In the mail.

10 CHIEF RALSTON: Huh? In the mail, yeah, and  
11 I did my -- I did my level best to have it ready for  
12 today so I could just present it to him and have -- But  
13 it's going to be real thick on account of this is not  
14 all of it. This is just part of it. And there's just a  
15 few finishing touches that I want on it to make sure  
16 that I've complied with what you guys are looking for.

17 And, by all means, if we're doing anything  
18 wrong or there's questions, then we need to correct  
19 them. We need to do the best we can to help you so I  
20 can ask you to help me get accomplished what we need to  
21 accomplish.

22 CHAIRPERSON ROIJAS: Very good.

23 CHIEF RALSTON: So, if anybody has any  
24 questions, why I'd sure be glad to try to answer them if  
25 I could in any way.

1 MR. HERNANDEZ: I just have one comment.

2 For your information, the record for this project does  
3 close 30 days from today. So, if you could give me that  
4 information, I would appreciate it and, by golly, I'm  
5 starting to kind of wondering about Liberal because your  
6 City Manager kind of said he couldn't make it.

7 CHIEF RALSTON: Yeah.

8 MR. HERNANDEZ: And then the Assistant City  
9 Manager couldn't make it and so then they said ask Sonny  
10 Ralston about city operations.

11 CHIEF RALSTON: Well --

12 MR. HERNANDEZ: But, no. No, no, no. We  
13 don't -- We don't --

14 CHIEF RALSTON: Yeah, but, see, the thing is  
15 I've been there 33 years. So I'm an old hat there, see?  
16 I'm just kind of one of the -- They got me pushed back  
17 in the corner, but, you know, I -- and I told him, I  
18 said, well, I would try to answer any city questions  
19 that I could because I have been around there a long  
20 time and I've been through -- I've been through five  
21 city managers and four Chiefs of Police since I've --  
22 since I've went to work there. So I've had to change my  
23 life style that many times in order to comply.

24 And through the years, you know, the  
25 population changes, the -- the ethnic groups change, you

1 know, and it's just a lot of changes over a period of  
2 time, but, by all means, if you don't have any questions  
3 about the Police Department, which I'd be more than  
4 thrilled to try to help you out, but, if you had some  
5 about the city what our makeup or anything that I can  
6 answer, by all means, I'd be glad to try to address any  
7 questions or try to answer anything that you might have  
8 in regards to that if you did have some.

9 DR. SUH: You have one Japanese male and  
10 then one Asian male, right?

11 CHIEF RALSTON: Yeah. Our Asian male is --  
12 Our Asian --

13 DR. SUH: Southeast Asia?

14 CHIEF RALSTON: Huh?

15 DR. SUH: Southeast Asia? Southeast Asia?

16 CHIEF RALSTON: Yes. Yes.

17 DR. SUH: Okay.

18 CHIEF RALSTON: He -- he was a full-time  
19 officer up until lats month and his personal business  
20 got bigger than he could handle and do his police job,  
21 too. So he decided to quit, but I talked him into  
22 staying on as a reserve officer. So that way he could  
23 still come down and ride on certain days. He can, when  
24 he's got time, then he can come down and ride and help  
25 us and then we can rely on him when we get into a

1 problem that we don't understand with the Asian  
2 community. We still have somebody there that -- that is  
3 available to go help us do what we need to get done, you  
4 know, and he knows how to -- Well, he's just a good  
5 person and a real good businessman, too. I mean he's an  
6 excellent individual.

7 DR. SUH: How big Asian community? How big  
8 is it?

9 CHIEF RALSTON: Is Liberal?

10 DR. SUH: Yeah.

11 CHIEF RALSTON: About 16,000.

12 DR. SUH: Asian.

13 CHIEF RALSTON: It fluctuates.

14 DR. SUH: Asian population.

15 CHIEF RALSTON: Oh. The Asian population?

16 DR. SUH: Yeah.

17 CHIEF RALSTON: I don't think I can be  
18 accurate on that, but we have -- we, probably, have more  
19 Asian people working at our beef plant than the other  
20 two areas do. They, probably, have more Hispanic  
21 working at theirs than we do and I would say -- Man, I  
22 don't even know what to guess. I -- It's a small -- a  
23 small percentage, but we have a lot of business owners  
24 that are Asian males. You know, that are from the Asian  
25 community that have -- that have different communities.

1 Have some food places, have some stores, you know, there  
2 in town that they've put in and what-have-you. So --  
3 Has a grocery store. A couple of them.

4 In fact, the police officer owns one of the  
5 grocery stores and a laundry mat and about 35 houses in  
6 town and he's just done real well for himself. He's  
7 been very conservative and he's got more than he can  
8 handle, but I talked him into staying on so we could  
9 still have some kind of contact with -- to educate us  
10 more than anything else. To make sure we were -- we  
11 were doing what we're supposed to.

12 DR. SUH: That's all.

13 MR. NULTON: A couple questions. Your  
14 community policing program. Is there documents that  
15 describe that?

16 CHIEF RALSTON: Well, no, there wouldn't be  
17 a document to -- Oh, there's a lot. I should say  
18 there's lots of documentation to that because this goes  
19 back for hundreds of years.

20 MR. NULTON: Oh, no, no. The one that  
21 you're going to set up.

22 CHIEF RALSTON: Oh. The one we're going to  
23 set up? This is just in the stages of we've got the  
24 money now and now we've got to put the program together.  
25 In other words, the money is available now and now we've

1 got to put the program together and the first stage of  
2 that program will be -- will be the planning stage which  
3 we are waiting for our new chief to arrive so he can be  
4 a part of that planning.

5 MR. NULTON: Any guesstimate as to when this  
6 concept will be in place?

7 CHIEF RALSTON: Right after the first of the  
8 year.

9 MR. NULTON: No. When will the program go  
10 into force?

11 CHIEF RALSTON: Right after the first of the  
12 year. Just as soon as we can put the program together.  
13 The money's already there and then, of course, by the  
14 time we hire, we're going to -- we've been allowed two  
15 officers to -- to do this program. Two additional  
16 officers will be hired to work this community policing  
17 program.

18 MR. NULTON: A couple other questions. Do  
19 you have a citizen complaint program?

20 CHIEF RALSTON: Yes, we do.

21 MR. NULTON: All right. Is there any data  
22 that would reflect the, shall we say, racial and ethnic  
23 type complaints?

24 CHIEF RALSTON: Yes, it would.

25 MR. NULTON: Could you make that available

1 to Mr. Hernandez?

2 CHIEF RALSTON: It is.

3 MR. NULTON: It is?

4 CHIEF RALSTON: It will be part of it.

5 MR. NULTON: Okay, fine.

6 CHIEF RALSTON: Sure will.

7 MR. NULTON: All right.

8 CHIEF RALSTON: In fact, our Internal  
9 Affairs -- I did everything that we had in Internal  
10 Affairs. That was one of the questions and that's what  
11 we call it, Internal Affairs or citizens complaint, and  
12 I did put all the information. The only thing I can't  
13 release out of that is names and -- and what the -- what  
14 the actual criteria was that led us up to that statistic  
15 and that's something we're not allowed to release to  
16 anybody, but -- but the other information that you're  
17 asking for, it will be in there.

18 MR. NULTON: Okay. Can you give us any  
19 overview as to the proportions between arrests and the  
20 minority population?

21 CHIEF RALSTON: I don't guess I follow your  
22 question.

23 MR. NULTON: Well, okay. We've got a  
24 certain percentage minority population in Liberal.

25 CHIEF RALSTON: Okay.

1 MR. NULTON: And I'm wanting to know how  
2 that looks when you consider the percentage of arrests  
3 of minorities.

4 CHIEF RALSTON: I don't have that  
5 information available. I sure don't.

6 MR. NULTON: Okay.

7 CHIEF RALSTON: I can -- I can, more than  
8 likely, I can get you that information and have that in  
9 the packet that I sent to Mr. Hernandez and I'll do my  
10 level best to do that for you. I would be glad to do  
11 that for you if I can.

12 MR. NULTON: I think it would be helpful.  
13 That's all.

14 CHAIRPERSON ROIJAS: Yes. Go ahead.

15 MS. FLORES: Mr. Ralston, will you guys be  
16 taking under consideration if the community's going to  
17 be involved with the community policing program on  
18 helping to lay out how that program is going to be set  
19 up?

20 CHIEF RALSTON: Teresa, I guess I didn't  
21 quite understand what your question -- what the question  
22 is to --

23 MS. FLORES: Is the community going to be  
24 able to be involved in the developing of this community  
25 policing?



1 CHIEF RALSTON: I think -- I think that's  
 2 going to be, to answer that, I think that's going to be  
 3 a question that our new chief's going to have to answer.  
 4 I think he's going to have to answer a question like  
 5 that for you because I don't want to be sitting here and  
 6 telling you that, yes, that's going to happen and then  
 7 him come in and him have a different -- a different  
 8 perspective on account of it sure thing is I can't get  
 9 it done before January 1st. It can't go into effect  
 10 before January 1st. So anything after that date and  
 11 period I need to -- I mean I've got to say, hey, that's  
 12 his choice, not mine; and that's something I'd be glad  
 13 to suggest to him.

14 MR. HERNANDEZ: Well, I was just going to  
 15 ask in your 33 years of experience you ought to be able  
 16 to make a strong recommendation for minority community  
 17 inclusion.

18 CHIEF RALSTON: Sure. Sure. Absolutely,  
 19 and I'd be glad to do that, Teresa, as far as -- as far  
 20 as making that a -- as part of it, the planning process.  
 21 I'll be glad to give that information to him and make a  
 22 strong recommendation that we do that.

23 MR. HERNANDEZ: And there will be an  
 24 opportunity to hire some minority policeman if there are  
 25 two slots. Right?

1 CHIEF RALSTON: Oh, yeah. In fact, I'm  
2 going to have -- I've got them two new slots and  
3 there's talk that the Commission's going to give me  
4 three new slots and I'd -- I'd very much, even after the  
5 first of the year, I would entertain and support the  
6 hiring of some minority policemen.

7 MR. HERNANDEZ: And you'll still go on  
8 record as saying that you'll fire any -- any police  
9 officer that targets the Hispanic population taverns?  
10 You remember you kind of mentioned that to us during our  
11 interviews?

12 CHIEF RALSTON: I don't. As long as I'm in  
13 charge and, rest assured, as long as I'm in charge, I  
14 will not allow my officers to target or just sit on a  
15 bar to arrest anybody, not just Hispanics. Whites,  
16 Hispanics, blacks, Asians. Not to sit and arrest  
17 anybody and not make that a target and sit there and  
18 wait for somebody to come out the door to be able to  
19 arrest them. I just -- As long as I'm in charge, that  
20 won't happen.

21 CHAIRPERSON ROIJAS: Okay.

22 CHIEF RALSTON: I will not allow that to  
23 happen. That's a no, no. I just -- I can't even see  
24 how anybody could -- could want to do something like  
25 that. No. 1, you're allowing somebody to walk from a

1 bar to get in the car when you should stop them before  
2 they get in the car, if you're going to sit there and  
3 watch them.

4 MR. HERNANDEZ: Thank you.

5 CHAIRPERSON ROIJAS: Thank you very much,  
6 Chief, and we appreciate your information.

7 CHIEF RALSTON: You bet.

8 CHAIRPERSON ROIJAS: We really look forward  
9 to the information that's coming in the mail.

10 CHIEF RALSTON: Okay.

11 CHAIRPERSON ROIJAS: Thank you.

12 \* \* \* \* \*

13  
14 CHAIRPERSON ROIJAS: Our next presenter is  
15 Oakley C. Ralph.

16 CHIEF RALPH: Hi.

17 CHAIRPERSON ROIJAS: For the record, we  
18 would appreciate your name, address, and occupation.

19 CHIEF RALPH: Okay. The first name is  
20 Oakley. The middle initial is C and the last name is  
21 Ralph. It always sounds backwards. People turn it  
22 around, but that's the way it is.

23 CHAIRPERSON ROIJAS: There's something wrong  
24 here.

25 CHIEF RALPH: I'm the Chief of Police in

1 Dodge City. The police address is 110 West Spruce in  
2 Dodge City. Is that all you asked for to begin with for  
3 the record?

4 CHAIRPERSON ROIJAS: For the record, do you  
5 have a statement on the issue of race relations with  
6 regard to your job or community activity?

7 CHIEF RALPH: Okay. Well, that might make  
8 it a little easier from the -- The questions that were  
9 asked in the letter I thought, boy, it sounds like a  
10 management study instead of a race relations type of  
11 thing, but if I can just talk to you a little bit and,  
12 maybe, we can get some of the information out and then,  
13 with the questions that you ask, why, we'll get them --  
14 we'll get you answered.

15  
16 OAKLEY C. RALPH

17 CHIEF OF POLICE,  
18 DODGE CITY, KANSAS

19  
20  
21 As far as who I am and my career, I've been  
22 in law enforcement for 32 years. Well, actually, a  
23 little longer than that, but 32 with the Dodge City  
24 Police Department and I've been Chief there for just  
25 coming up on 25 years. So I've seen the changes in the  
26 community and have some ideas of what's happening and we  
27 can discuss those.

1                   One of the other questions was the public's  
2 view of the Dodge City Police Department and, of course,  
3 a lot of times you don't hear the good things that the  
4 community has, so we have to assume that we are doing  
5 some things right and then, maybe, someday somebody will  
6 give us a pat on the back for those; but we, of course,  
7 have to be very concerned about the things that we start  
8 hearing about, maybe, what somebody doesn't like or what  
9 they see as a problem and things that we have to  
10 address.

11                   And one of the things that we're starting to  
12 hear and that I have felt personally for a while is  
13 that, over the years with the pressure on to stop this  
14 and correct that and get the people that are doing  
15 things, et cetera, our offices have kind of developed  
16 more of an enforcement mode than a public service mode  
17 and that -- that's upsetting to me and it causes -- it  
18 causes some negative comments in the community about  
19 what our Police Department's doing and there needs to be  
20 changes and so on and it's coming out of those  
21 particular actions.

22                   Now some of those may be said or felt by  
23 minority populations, but we're also hearing it from  
24 other people in just the general public. So, to address  
25 that, as Sonny was talking about, we are now just

1 starting in the community policing area and, of course  
2 that's the, supposedly, somewhat to help departments  
3 address these particular problems, that you've got to  
4 get back and work with your community and figure out  
5 what the real problems are, not just what you think they  
6 are, but what the community thinks they are. The  
7 community helps you decide what needs to be done to  
8 correct these and you start developing this partnership.  
9 They have all these catch phrases and so on that they  
10 use, but that's, basically, what it is. You get back to  
11 your community, find out what you want you to do and  
12 enlist their help in -- in correcting these things.

13           You know, we always used to say, as far as  
14 crime was concerned that, if you put a policeman on  
15 every corner, the crime would occur in the middle of the  
16 block. You just can't hire enough policemen to stop  
17 everything, so the community has to be involved in it  
18 and that's what we hope we're going to start  
19 accomplishing with this program.

20           Now, again, what's it going to look like and  
21 when's it going into effect and so on, anticipating,  
22 maybe, some of your questions. As we say, we have just  
23 started and, of course, this is -- we asked for a  
24 federal grant to help us get started with three officers  
25 to begin with and, of course, with the funding

1 considerations in Washington, we got one. There's not a  
2 whole lot you can really get out and jump on with one  
3 guy, but -- or one officer -- but you -- you start  
4 somewhere.

5 We have gone ahead and started in this mode.  
6 That particular individual is assigned to help  
7 coordinate the programming, do some research, do some of  
8 the leg work and the paperwork involved in this, at  
9 least, to begin with on a part-time basis, still being  
10 used in the Patrol Division in an active manner.

11 We have at this point accomplished that we  
12 have all of our personnel from and including sergeants,  
13 but sergeants on up, to be trained in community policing  
14 and right after the first of the year in January and  
15 February we have two training sessions set up for an  
16 individual to come to Dodge City and train all the rest  
17 of our personnel in the community policing philosophy  
18 and how that operates. So, hopefully, within this  
19 period of time we will be able to develop the program.

20 Now, again, who's going to be involved? I  
21 might anticipate your question. Part of the -- Or one  
22 of the first things they say you should do in community  
23 policing is to develop a survey with your community so  
24 that they tell you what it is, you know. And, like I  
25 say, we can anticipate, we can go out and tell them what

1 their crime problem is in that area and they may see it  
2 a lot differently. So you have to address what the  
3 community thinks it is. So that, obviously, would be  
4 one of the first things that we do with this program.

5 So that's kind of all in the works and  
6 that's what we hope to develop. That takes some time  
7 and we're going to be trying to look at things to -- to  
8 help start -- start contact or interaction with the  
9 public better than we have been prior to that. Don't  
10 know yet what all we can get done, but we've got to get  
11 our officers out of the cars, talking to the public, and  
12 getting some response from them.

13 One of the things that fits with community  
14 policing, doesn't necessarily have to be one, but we  
15 have recently started a bicycle patrol, which does help.  
16 I mean people love these guys riding around on bicycles  
17 and they like to stop and talk to them, et cetera, and  
18 that really does help some relationships. It gets them  
19 out of that steel and glass cage and puts them next to  
20 the public and they do talk to them.

21 There is a tendency, I think, and a fear of  
22 community policing that it turns officers into social  
23 workers and they aren't out doing what they swore to do,  
24 which is fight crime, you know, and so it's kind of a  
25 tough job, I think, sometimes to convince the officers



1 that providing the service to the community, not just  
2 the enforcement aspect of it is the job of the all well-  
3 rounded police officer who has to address all these  
4 needs of the public.

5 And we've been talking to the city. Some of  
6 the department heads of the city traveled to Wichita to  
7 look at some of the programs they have going, which  
8 includes the other departments of the city, the Public  
9 Works, the Inspection Department, Fire Department, and  
10 all of these so that, when you go into a certain area of  
11 your community trying to help the people clean up,  
12 address the problems in their community, that you have  
13 all the departments trying to be there to help do what  
14 they can, not just protect them from crime, but do clean  
15 up the junk automobiles and the high weeds and the  
16 things that cause the disease and the rats and all to  
17 come, you now, but to try and improve the neighborhoods  
18 altogether so the people develop their pride and  
19 ownership in their community.

20 So the city has already started talking  
21 about this teamwork and, as far as I know, I think our  
22 commissioners -- I know some of them and I don't whether  
23 they all -- but will participate in the community  
24 policing training that we're going to have after the  
25 first of the year. I was visiting with the Manager the

1 other day and he anticipates them participating in this.

2 So it's kind of long-term. We hope to do  
3 some of these shorter-term things. In fact, I'll tell  
4 you before I've told any of the rest of them, when I get  
5 back another chief that I know has -- we were talking  
6 the other day and a program that he's used in New  
7 Mexico, he came up from New Mexico and used to be in  
8 Kansas, went to New Mexico, came back to Kansas, but,  
9 anyway, we were talking about this and he mentioned that  
10 one thing he found very -- very productive in this area  
11 that he tells his officers, at a minimum, 20 minutes out  
12 of each shift you park your car somewhere in your beat  
13 and you walk a couple blocks of whatever and you stop  
14 and talk to anybody you find, you knock on the doors if  
15 the weather's cold or nobody's out and just introduce  
16 yourself and talk to them about what's going on.

17 CHAIRPERSON ROIJAS: Who the hell are they?

18 CHIEF RALPH: Yeah. I don't know who it'll  
19 scare or whatever.

20 CHAIRPERSON ROIJAS: It'll scare the hell  
21 out of us in Kansas City. Stop and knock on my door and  
22 say hi. All right.

23 CHIEF RALPH: But he said that he found it's  
24 very good in getting the interaction between the  
25 officers and the citizens and it's mandatory. Each one

1 has to do that sometime during their shift. So it is  
2 forcing this contact between officers and the public and  
3 I think we're going to try that. I don't know any  
4 reason why we shouldn't.

5 CHAIRPERSON ROIJAS: Worth a try.

6 CHIEF RALPH: So, anyway, we're going to try  
7 and address these things, to get back to it.

8 The public's view of the Police Department  
9 as far as race relations are concerned, I don't hear a  
10 lot of complaints. I'm sure there's some out there from  
11 the minority community about some of the things we do,  
12 maybe, some of the things that we misunderstand. Our  
13 law is very complex and confusing. Even our officers  
14 don't know what it is some of the times, you know. So I  
15 don't know how we get our citizens to understand all the  
16 complexities of the law and why we do some of the things  
17 we do.

18 But we're starting to hear some things  
19 because of the difference in the makeup of our  
20 community.

21 As I said, when I went there in '64, we had  
22 about 15,000 people and they were all people that had  
23 lived in Dodge City in that rural community for years.  
24 Their families all lived there, including our minority  
25 community, which we've always had a fairly substantial

1 Hispanic community there, but they were multi-juris --  
2 or what do I want to say --

3 CHAIRPERSON ROIJAS: Generation?

4 CHIEF RALPH: Generation. There you are.  
5 Thank you. Multi-generational families and we knew  
6 everybody. You couldn't go anywhere in town without  
7 knowing them by name and saying hello and so forth.

8 Now, over the years, we're a little over  
9 22,000 now and our population altogether is transient,  
10 not only the minority, but a lot of caucasian or  
11 whatever. It's just different people moving in and  
12 moving out for different reasons and jobs. It has  
13 changed a lot. There's so many people. I drive around  
14 town and there's people I don't know and it's -- it's  
15 different for me for what I had known for all these  
16 years, and that's been coming on for a while.

17 But it is causing some differences and some  
18 different feelings because -- and I've heard some of  
19 these comments even from some of the older Hispanic  
20 families about the newer ones coming in, you know. That  
21 they don't understand how we do things and it causes  
22 hard feelings. We get complaints. You know, we all fix  
23 up our front yards and we fix our back yards for our  
24 party and this is where we barbecue and party and  
25 entertain and then the newer -- the newer Hispanic --

1 and I'll address this, because, basically, that's what  
2 we're dealing with in this area. The young guys that  
3 are coming in, working in the plant over there and  
4 living there and they come in and they park their cars.  
5 I mean they get a bunch of them in an apartment house  
6 living there and there's so much parking on the street  
7 or whatever, but they park in their front yards and they  
8 sit out there and they drink beer and they play their  
9 boom box and their music.

10 That's completely different than what we've  
11 always done. So now we start getting complaints called  
12 in about loud music and drinking beer in the front yard,  
13 you know. So we go over to see what it is and then we  
14 have to tell the people there's no law against drinking  
15 beer in your front yard, first of all, and if the music  
16 is -- that's a real judgment call, whether it's a  
17 disturbance or not, so we have to then to tell the  
18 complainant I'm sorry, there's no violation, they can  
19 drink beer in their front yard if they want and they can  
20 play their music out there.

21 Well, now, what'd the Police Department do?  
22 We aren't doing our job because we aren't correcting  
23 this situation and then, if we address some of the  
24 things the other way, then it can be perceived as  
25 picking on that. I don't know whether the City Manager

1 mentioned to you, but recently, why the complaints came  
2 about slaughtering animals and having a cook-out, you  
3 know. So the City Commission addressed that and there  
4 were some people at the City Commission meeting to  
5 explain this, the slaughtering of the pig and having the  
6 barbecue at -- at baptisms and christenings and things  
7 like this and so they tried to reach this -- this in  
8 between thing of where we'll slaughter it outside of  
9 town and then you can bring it in and you can butcher  
10 and cook and have your get-together or whatever.

11 So that was an effort, but, to begin within,  
12 some of them thought they were targeting the Hispanic  
13 community because nobody did that until they came, you  
14 know, and started doing this. So it felt like we was  
15 targeting them or that was the feeling. So they worked  
16 out this compromise.

17 But that's what we're starting to see is  
18 people in Dodge are saying, if they're going to live  
19 here, why don't they live the way we have with our  
20 rules, but some of the things they are doing are not  
21 against the laws. It's the difference in the culture  
22 that they're bringing with them and what they do.

23 So that's tough. We're starting to hear a  
24 little or feel a little backlash from that. I mean it's  
25 not really bad, but it's -- but we kind of feel like

1 sometimes we're getting caught in between this -- this  
2 push and shove between the old and the new, you know,  
3 that's in the community.

4 It's the thing the young guys move in, they  
5 catch their job out there. One of the big complaints is  
6 that -- Wait a minute. Big complaints. That's bad.  
7 One of the complaints we hear off and on is, well,  
8 they're taking all this money out of the community and  
9 they send it back to Mexico, you know, to the family.  
10 Obviously, they do spend money in Dodge City, they live  
11 their, have to buy their groceries, they buy vehicles,  
12 they pay rent and this, they do but, also, obviously,  
13 there are some of them that have families back in Mexico  
14 that they do have to support and help and they do send  
15 money home to them.

16 So that's kind of an argument you hear back  
17 and forth, but one of the things that we find in the  
18 cars, you know, the young guys come in, there will be a  
19 bunch of them live in a house because they're all  
20 single, so the house isn't taken care of, the property  
21 goes down, that's partially the owner of the property's  
22 fault, also, but that happens, that started the car  
23 parking in the front yard, which upsets everybody else  
24 in the block, because it starts making the property look  
25 bad.

1           Some of them are just buying a vehicle. Now  
2 they don't just buy the vehicle from somebody, but the  
3 tag comes along with it and, of course, now they got a  
4 car and a tag, so they don't have to go up and get a  
5 tag, so they don't have to buy insurance, because they  
6 don't have to prove that. So, suddenly, they're driving  
7 a vehicle around with the improper tag and no insurance  
8 on it. Now on a big -- And we catch a bunch of them.  
9 We run into them and it generates a bunch of tickets for  
10 all these violations.

11           But, on the other hand, we hear from people  
12 in the community why aren't you doing something about  
13 all these people driving uninsured vehicles, why don't  
14 you put them in jail. Well, that's not the process.  
15 That's not the way the law works, you know. We never  
16 put people in jail before. There's a way of handling  
17 that to get them charged and before the court for their  
18 violation, but, suddenly, why aren't you taking their  
19 cars away from them and putting them in jail.

20           So, again, we're hearing this -- this push  
21 and shove that's developing out of -- out of these  
22 different types of situations.

23           To that extent, what would our tickets per  
24 population look like? It would, probably, look top-  
25 heavy right now toward the Hispanic community or



1 Hispanic surnames and, generally, they're out there.

2           The old -- The people that have been here  
3 for a while know what has to be done. They aren't as  
4 apt to not tag their car, to not have their insurance.  
5 They more understand that those administrative things  
6 are important to us for some reason. The newer ones  
7 don't understand the importance of all these little  
8 administrative details that, boy, you really need the  
9 tag and you really need to get that insurance and so on.

10           So, when we run into one, let's say they run  
11 a stop sign or they speed, suddenly, we end up with a  
12 ticket for speeding and, probably, no driver's license  
13 and improper tags on the car and no insurance. So, out  
14 of one stop, we may have five or six charges against an  
15 individual.

16           So that will cause it to look a little top  
17 heavy and just the instance that they aren't -- they  
18 don't do it as often. Some of these and it's terrible  
19 to say they and they -- and they, but I'm trying to  
20 project the ones that have trouble dealing with that  
21 that are new here and don't understand or, maybe, they  
22 do, but they just don't do it.

23           This is the group that we catch and we do a  
24 lot of charging and they're always out there in front of  
25 the officers with these violations, so -- So they are

1 caught and we would look -- we would look top-heavy.

2 CHAIRPERSON ROIJAS: Would it be possible  
3 that, because, the officers see Hispanics who are young  
4 in a car, that, well, let's stop them and, more than  
5 likely, you're going to hit pay dirt because you are --  
6 they are stopping that -- that individual that fits that  
7 profile? You know, and -- and I've heard about the high  
8 turnover of the Hispanic work force in the meat packing  
9 plant and so, when they're gone -- so I can see where  
10 the system would be working against them as well, well,  
11 I'm going to be gone, you know, I'll keep the job two or  
12 three months, and so, you know, I'm beginning to see  
13 something here that had not occurred to me before.  
14 Various things.

15 CHIEF RALPH: That's kind of a long, all-  
16 encompassing question --

17 CHAIRPERSON ROIJAS: I know it. I know it.  
18 There is so much of it.

19 CHIEF RALPH: And, probably, I would say yes  
20 to almost all of it.

21 CHAIRPERSON ROIJAS: Yeah.

22 CHIEF RALPH: Yes. Is it possible?-- Yes.  
23 We would hope our officers don't just target young  
24 Hispanics. However, you know, you also have to keep in  
25 mind that there has to be a reason for a stop. Probable

1 cause for the stop to begin with, so --

2 CHAIRPERSON ROIJAS: Well, you mean that --

3 CHIEF RALPH: -- we need to make sure that  
4 our officers can articulate the reason they stopped the  
5 car to begin with. You can't just go out and stop cars  
6 without a reason. Now is a reason easy to find? Well,  
7 sometimes it is. Broken tail light. No -- no tag  
8 light. You know, things like this. But they would have  
9 to have a lawful basis for the stop. Could it happen?  
10 Of course, it'd be foolish for me to say no with so many  
11 officers out there. Hopefully, that's not a -- not a  
12 real practice for us, you know, as a whole.

13 CHAIRPERSON ROIJAS: How many Hispanics do  
14 you have on your force?

15 CHIEF RALPH: Oh, I heard that a while ago,  
16 that question asked. I'm going to be in real trouble  
17 here. At the present time, we, probably, have four now,  
18 I think.

19 CHAIRPERSON ROIJAS: Four out of how many?

20 CHIEF RALPH: Four out of a total of 38  
21 sworn personnel.

22 CHAIRPERSON ROIJAS: 38?

23 CHIEF RALPH: 38, yes.

24 CHAIRPERSON ROIJAS: That's about 10, 12%?  
25 Something -- something around there?

1                   **CHIEF RALPH:** Yeah. It's been higher. It's  
2 been lower. We'd hire some. Some will stay for a while  
3 and, you know, I just most recently lost my secretary  
4 who went to Colorado Springs. I just couldn't fight  
5 Colorado Springs and I lost her to Colorado, but a  
6 really super gal and she was --

7                   **CHAIRPERSON ROIJAS:** No. But I'm talking  
8 about officers.

9                   **CHIEF RALPH:** Yes.

10                  **CHAIRPERSON ROIJAS:** Officers. Was she an  
11 officer?

12                  **CHIEF RALPH:** No. But in that respect, she  
13 was fluent and so that was a real loss to us.  
14 Bilingual.

15                  **CHAIRPERSON ROIJAS:** Was she the only one  
16 that's bilingual?

17                  **CHIEF RALPH:** Right now I only have one  
18 Hispanic that can -- that is fluent and one of the  
19 problems we're finding is the group that's in the range  
20 to hire, you know, the U. S. citizen and, you know, all  
21 the education and all these things, the ones that are in  
22 the range to hire to get into police work are those that  
23 have come up in the families that have said we live  
24 here, you learn English, and a lot of them never learned  
25 the Spanish.

1 CHAIRPERSON ROIJAS: Actually --

2 CHIEF RALPH: Their grandparents may have  
3 spoken --

4 CHAIRPERSON ROIJAS: Yeah.

5 CHIEF RALPH: Or even their parents, to some  
6 extent, but they were never required. So I hire  
7 Hispanics, but I don't get bilinguals, you know, and  
8 that's a -- that's a real problem for us anymore.

9 CHAIRPERSON ROIJAS: Okay. Unless anyone  
10 else has any questions... Dr. Suh?

11 DR. SUH: Chief --

12 CHIEF RALPH: Yes, sir.

13 DR. SUH: -- if a Vietnamese boy kill his  
14 dog and eat it, you going to put in jail?

15 CHIEF RALPH: Your question is if that  
16 happened --

17 DR. SUH: Yeah. If that happened.

18 CHIEF RALPH: -- would we put him in jail?

19 DR. SUH: Yeah.

20 CHIEF RALPH: Well, that's a real good  
21 question. Would we put him in jail? No. Would he end  
22 up getting charged? I guess it would depend on how it  
23 happened. You know, whether -- how the killing took  
24 place. You know, cruelty to animals, et cetera.

25 CHAIRPERSON ROIJAS: If you kill him, he's

1 dead.

2 CHIEF RALPH: Well, so are geese and pigs  
3 and et cetera, et cetera, you know.

4 CHAIRPERSON ROIJAS: I know.

5 CHIEF RALPH: Yeah. And chickens and this  
6 whole thing. So, I hope -- If we didn't tell the  
7 Humane Society, it would be...

8 You know, when the Asian community first  
9 started out here, that was always a big thing about,  
10 boy, don't let your animals run loose, you know.  
11 They'll start disappearing and, when we talked to people  
12 in that community, they kind of -- the Asian community  
13 laughed about it, too, you know. They said we like  
14 meat. If we can have beef, we'd rather have beef, you  
15 know, type of a thing.

16 So but just your question, it, really, I  
17 suppose, depend on how the thing happened. Whether it  
18 turned out to be, really, a violation of cruelty to  
19 animals as opposed to the slaughtering of an animal to  
20 eat, you know, type of a thing. So... Never had to  
21 deal with that one, though.

22 DR. SUH: Yeah, but that dog -- You never  
23 eat dog.

24 CHIEF RALPH: Well, not that I know of,  
25 anyway, yeah.

1 DR. SUH: You never eat dog, but it is  
2 strange eat dog here. Something wrong, right?

3 CHIEF RALPH: Something's wrong what?

4 DR. SUH: I mean something's wrong with  
5 eating the dog. I mean your point of view he is a bad  
6 guy because he eating dogs.

7 CHIEF RALPH: Well, no, I don't think so.  
8 You know, people eat a lot of different things. You  
9 know, they eat rattlesnakes and alligator and all sorts  
10 of things. Some people would not and they have a  
11 problem with it. So I don't know that I would want to  
12 judge that, you know, if that's what they're used to. I  
13 don't know that I could judge that.

14 CHAIRPERSON ROIJAS: Okay. Well, we're  
15 running a little short of time. We thank you very, very  
16 much and appreciate it and --

17 CHIEF RALPH: Well, that's --

18 CHAIRPERSON ROIJAS: -- we needed a little  
19 bit of lightness here for a little bit.

20 CHIEF RALPH: Oh, okay.

21 CHAIRPERSON ROIJAS: It gets too heavy  
22 sometimes.

23 CHIEF RALPH: Thank you, folks.

24 CHAIRPERSON ROIJAS: Watch your menu. Thank  
25 you very much.

1 CHIEF RALPH: Okay.

2 CHAIRPERSON ROIJAS: We're tired.

3 \* \* \* \* \*

4  
5 CHAIRPERSON ROIJAS: Okay. Our next  
6 presenter is Roger Schroeder from Garden City. We  
7 apologize. We running short of time --

8 CAPTAIN HAWKINS: That's no problem.

9 CHAIRPERSON ROIJAS: -- but there's a lot of  
10 information here and -- and critical information that we  
11 need. For the record, would you please state your name,  
12 address, and occupation?

13 CAPTAIN HAWKINS: Yes. I am James Hawkins.  
14 I'm a captain with the Garden City Police Department.

15  
16 JAMES HAWKINS

17 CAPTAIN, POLICE DEPARTMENT  
18 GARDEN CITY, KANSAS  
19  
20

21  
22 Roger Schroeder is the Chief and he was the  
23 gentleman sitting with me that had to leave just a  
24 little bit ago. So I will try to provide what  
25 information I hope you -- I hope I can from the Garden  
26 City Police Department at 304 North 9th Street in Garden  
27 City.

28 And, as I was reading over this letter, I --



1 I'll address my career in law enforcement. I've been  
2 with the Garden City Police Department for twelve and a  
3 half years. I have a master's degree in Spanish from  
4 the University of Massachusetts. I am one of two  
5 members of the department that have a master's degree.  
6 We have a total staff of 85 people, two with master's  
7 degrees, 21 with bachelor's degrees, 18 with associate's  
8 degrees, and several who are currently working on  
9 bachelor's degrees. We have 26 female employees, 59  
10 male employees, 25 Spanish -- excuse me -- 12 Spanish  
11 speaking employees, three sworn female officers, one  
12 Korean male officer, and six sworn bilingual officers.  
13 The other six are non-sworn bilingual employees.

14 We have taken great efforts, I think, to  
15 address the multi-cultural facets of Garden City. We  
16 have a nine member community policing team, which  
17 includes our DARE program, our community liaison with  
18 the high school. We have a -- Part of that team is  
19 bicycle officers. Part of it is neighborhood watch,  
20 crime prevention, and community relations.

21 We have a Hispanic student scholarship  
22 program where we award a \$1,000.00 scholarship to the  
23 community college student every year who is a Hispanic  
24 and we do that in an attempt to recruit Hispanic members  
25 of the community for criminal justice careers.

1 We offer basic Spanish classes to our  
2 employees, at least, once a year. We offer -- We  
3 schedule annual cultural diversity programs and training  
4 as part of our training curriculum. We contribute to  
5 the Spanish speaking newspaper on a periodic basis  
6 articles of crime prevention, interaction with the  
7 Police Department.

8 We subscribe to the AT & T language line for  
9 interpreters. We also have a pool of interpreters,  
10 which includes Vietnamese, Cambodian, Lao, and Spanish  
11 speaking interpreters in the community itself.

12 When we recruit, we make an effort to  
13 recruit minorities from southwest states, New Mexico,  
14 Texas, Colorado. Let's see.

15 We distribute bilingual materials for our  
16 community and they include brochures on your rights and  
17 responsibilities when interacting with the Police  
18 Department, how to commend or complain against the  
19 Police Department personnel, and those are in Spanish  
20 and in English.

21 We have an Office of Professional Standards  
22 which investigates all citizen complaints against  
23 employees of the department and...

24 Let's see. What else? What else can I tell  
25 you? As part of our community policing team, we have

1 one of our officers who coordinates with the southwest  
2 regional prevention center and offers classes in  
3 conflict resolution, drug resistance, alcohol  
4 resistance, and those classes are offered both in  
5 Spanish and in English.

6 We have a Public Information Officer who  
7 gives a news briefing every day to keep the press  
8 apprised of events over the night. So that's a morning  
9 occurrence and we are recipients of a community oriented  
10 policing grant.

11 We're waiting to hear on a second community  
12 oriented policing grant to give us four more community  
13 policing officers, which would increase our program to  
14 13 officers.

15 We received a grant from the governor's  
16 office just recently -- excuse me -- from the Attorney  
17 General's Office just recently for community policing  
18 programs, bilingual materials for drug resistance, crime  
19 prevention, and community oriented programs and we also  
20 have a DARE program.

21 And I'd be glad to answer any questions I  
22 might.

23 CHAIRPERSON ROIJAS: What do you consider  
24 the race relations in your community?

25 CAPTAIN HAWKINS: Well, I think that they

1 are -- that they're very good. We -- we have  
2 discrimination regulations that, should an employee  
3 discriminate against anyone, you know, whether it's  
4 race, creed, sex, you name it, there would be  
5 disciplinary problems.

6 We feel that we make every effort to recruit  
7 minorities for the department and we have a  
8 police/citizens Advisory Board, which is comprised of  
9 the different ethnic factions of the city and the Chief  
10 meets with them on a monthly basis to -- to discuss any  
11 problems that they might have.

12 And I think we make every effort that we can  
13 to respond to all facets of the community.

14 CHAIRPERSON ROIJAS: You mentioned that  
15 conflict resolution --

16 CAPTAIN HAWKINS: Uh huh.

17 CHAIRPERSON ROIJAS: -- is provided in  
18 Spanish, as well as English. Why?

19 CAPTAIN HAWKINS: Why? Because we have part  
20 of the program are Spanish speaking students who don't  
21 speak English and part of the program is also addressed  
22 to parents of --

23 CHAIRPERSON ROIJAS: Oh, okay.

24 CAPTAIN HAWKINS: -- Spanish speaking  
25 students.

1 CHAIRPERSON ROIJAS: Okay. Okay. Good.

2 CAPTAIN HAWKINS: And that's why.

3 CHAIRPERSON ROIJAS: Okay. Very good. Does  
4 anyone have any questions?

5 (No response)

6 CHAIRPERSON ROIJAS: We're sorry that your  
7 Chief of Police was so --

8 CAPTAIN HAWKINS: Oh.

9 CHAIRPERSON ROIJAS: -- or that he was  
10 unable to meet with us.

11 CAPTAIN HAWKINS: That's fine.

12 CHAIRPERSON ROIJAS: Please express our  
13 regrets.

14 CAPTAIN HAWKINS: Okay.

15 MR. HERNANDEZ: One quick question.

16 CAPTAIN HAWKINS: Sure.

17 CHAIRPERSON ROIJAS: Go ahead.

18 MR. HERNANDEZ: You're doing -- you're doing  
19 the right things --

20 CAPTAIN HAWKINS: Okay.

21 MR. HERNANDEZ: -- from your presentation.  
22 A lot of good things.

23 CAPTAIN HAWKINS: Uh huh.

24 MR. HERNANDEZ: Is there -- Is there a gang  
25 problem in Garden City and is it -- and how would you

1 describe it?

2 CHAIRPERSON ROIJAS: A what problem?

3 MR. HERNANDEZ: A gang.

4 CAPTAIN HAWKINS: A gang problem. Well,  
5 sure. We have -- It's not an outstanding problem. We  
6 have, as part of our community oriented policing or our  
7 community policing team, we tend to -- to target known  
8 gang members, not necessarily for arrest, but for  
9 periodic contact to let them know that we are ever  
10 vigilant, I guess you might say.

11 We have had several gang-related shootings,  
12 which, fortunately, didn't result in anything fatal, and  
13 we kind of try to stay on top of that as much as we can  
14 so that it doesn't get out of hand.

15 CHAIRPERSON ROIJAS: Okay.

16 CAPTAIN HAWKINS: Bless you.

17 CHAIRPERSON ROIJAS: Thank you very much.

18 CAPTAIN HAWKINS: Sure.

19 CHAIRPERSON ROIJAS: We appreciate your  
20 presentation.

21 CAPTAIN HAWKINS: You bet.

22 \* \* \* \* \*

23

24 CHAIRPERSON ROIJAS: Our next presenter is  
25 Bill McBride from the Seward County Sheriff's Office.

1 I don't know if he went out to get him or what.

2 We'll go on to the next one. Arlyn Leaming.

3 Please help me say the name right.

4 SHERIFF LEAMING: Well, it's like the little  
5 animals --

6 CHAIRPERSON ROIJAS: Leaming.

7 SHERIFF LEAMING: -- that jump off the cliff  
8 ever so often.

9 CHAIRPERSON ROIJAS: Leaming. Okay. And  
10 you're ready to do it?

11 SHERIFF LEAMING: I can to it, yeah.

12 CHAIRPERSON ROIJAS: All right.

13 SHERIFF LEAMING: I can jump off the cliff,  
14 yes.

15 CHAIRPERSON ROIJAS: For the record, please  
16 state your name, address, and occupation.

17 SHERIFF LEAMING: My name is Arlyn Leaming.  
18 I'm the Sheriff of Ford County and the address of the  
19 Ford County Sheriff's office is 507 Avenue L in Dodge  
20 City, Kansas.

21 CHAIRPERSON ROIJAS: Okay. Do you have a  
22 statement on the issue of race relations in western  
23 Kansas with reference to your job or community  
24 activities?

25 SHERIFF LEAMING: Sure.

1 CHAIRPERSON ROIJAS: Okay. Please describe  
2 your concerns --

3 SHERIFF LEAMING: Sure.

4 CHAIRPERSON ROIJAS: -- regarding race  
5 relations and, in your opinion, are there any problems  
6 or is everything as the majority said, hunkey-dorey?

7 SHERIFF LEAMING: Hunkey-dorey? Well, I'll  
8 tell you, I'm going to try to come at this from a little  
9 different angle in that I heard most or, at least, part  
10 of Chief Ralph's comments and which -- which I would  
11 certainly concur with his comments.

12 I want to come at a little different angle  
13 than that. I, as the Sheriff in Ford County, handle the  
14 jail and jail issues and, also, we have organized this  
15 year a youth program that targets kids, elementary and  
16 middle school age kids, who are on out of school  
17 suspension. So I'll just kind of reflect some of the  
18 things that I've learned, maybe, throughout this year  
19 and those issues.

20 First of all, as we go back to the mid-  
21 1970's and before beef packing moved into our area in  
22 Ford County, we had a jail population of around 14  
23 inmates per day. Since our population has increased and  
24 since the diversity of our population has changed, the  
25 jail population has, of course, continued to -- to



1 increase.

2 We run approximately 52 inmates per day now,  
3 have -- Jail overcrowding is -- is a never ending  
4 problem, I guess, and the main -- Most of the time, we  
5 see our population as a Hispanic ratio in jail in the  
6 mid to upper 40 percentile. We have a very low  
7 southeast Asian jail population and we have a very low  
8 black jail population. So I guess our -- the population  
9 that comprises the jail are white and Hispanic.

10 As far as looking at the types of crimes,  
11 drugs is a -- is a very big issue in our area, as with,  
12 you know, in Kansas you can look at Dodge, the Dodge  
13 area, the Garden area, and the Liberal area and see  
14 something that you don't see in Kansas until you get to  
15 Emporia and I'm not real sure what the reasons for that  
16 is, other than I know that all of those areas have beef  
17 packing.

18 And so I think we have somewhat of a direct  
19 route to -- to mainly cocaine and marijuana and that's  
20 what our narcotic investigations indicate to us is -- is  
21 we have developed somewhat of an intelligence file.  
22 From search warrants and from information that we  
23 receive enter in telephone numbers of -- of people who  
24 we arrest and who we do search warrants on and all that  
25 good stuff and what we see mainly is -- is a line coming

1 into the United States from New Mexico, in both  
2 California and El Paso area, Florida. Very little for  
3 us coming from Canada, but then we have a direct line  
4 coming right through Kansas, right through southwest  
5 Kansas, going to Chicago and on into Maine. So I think  
6 that indicates --

7 CHAIRPERSON ROIJAS: That's a lot.

8 SHERIFF LEAMING: Pardon?

9 CHAIRPERSON ROIJAS: Go ahead.

10 SHERIFF LEAMING: Well, I think that's a  
11 pretty good indication of where a good amount, at least  
12 of our -- our illegal narcotics is coming in from.

13 I feel -- Well, up until about the last  
14 year, about 80% of our investigative hours has been  
15 focused on narcotics because, of course, if narcotics is  
16 out there and people are using narcotics, they may be  
17 going to have to steal in order to support a habit.  
18 It's, you know, just the whole array of things. So  
19 narcotics is definitely a problem's that out there.

20 There's -- You know, we operate under a  
21 task force grant or a federal grant and have a task  
22 force and certainly do a fairly decent job of enforcing  
23 illegal drug laws.

24 Now I would say that I try to be very aware  
25 of who is being arrested in those -- in those illegal

1 drug trades and I would also say that a lot of times,  
2 you know, I feel that we're -- we're arresting several  
3 Hispanic people and that concerns me, so we will target,  
4 specifically, target out of the Hispanic population, but  
5 at some point during that investigation we're looping  
6 back into that population and I think, probably, because  
7 we have -- that's our route. That's how drugs are  
8 coming in. So that's a definite concern that I have.

9 I'm not sure how -- I feel, at least, that  
10 in the midwest that we have to continue narcotic  
11 investigations, but until -- until we can do something  
12 to decrease the amount of drugs -- and understand that,  
13 for the most part, the marijuana that's coming in to us  
14 and the cocaine that's coming into us is coming over a  
15 border of the United States.

16 So I'm not sure how federally we -- we look  
17 at that issue, but I think that's an issue that  
18 definitely has to be looked at or we will continue to  
19 have definite narcotic problems in the United States..

20 Now I want to come on to and I, probably, am  
21 running out of time, but I want to come on down to the  
22 community education program that we began this year.

23 I've seen and looked and about 94% of the  
24 kids four years ago who were placed on out of school  
25 suspension are now in -- in Dodge City, in the Dodge

1 City school system -- are now in the criminal justice  
2 system. So that tells me that that's a pretty good  
3 target group to hit early on in their ages.

4 So we've targeted elementary and middle  
5 school kids and, just as soon as they hit out of school  
6 suspension, we invite them into the community education  
7 opportunity program or CEO, for short, and in that  
8 program we initially try to identify problems that the  
9 kids are having. We try to make referrals to community  
10 based programs and then we have a mentor program and try  
11 to follow up with these kids.

12 The one common denominator that we see with  
13 the kids coming in is that parents are busy and  
14 sometimes parents, probably, do not have the skills or  
15 knowledge on -- on how to care for that child,  
16 especially, when that child reaches that 12 and 13 year  
17 age bracket.

18 You know, we have a lot of parents that have  
19 called into the office and said is there a -- is there  
20 any type of a group in here that we can -- that we can  
21 join because we're having problems and we think our kids  
22 are becoming involved with a gang or whatever, is there  
23 any -- And there really wasn't anything available and  
24 so we've tried to organize some support groups and have  
25 just recently started the support groups and so I hope

1 that's going to be some success.

2 But what we really see is the parent is  
3 concerned, they're very concerned, and so they tell --  
4 So they ground the kid. You know, the kid can't leave  
5 the house or they can't leave the back yard, because  
6 they don't want them to become involved in stuff and  
7 what we see then is the kids rebel, because there's  
8 nothing for them to do, but the parent -- You know, I  
9 think the parent has to take that extra step, I think.  
10 There's 4H programs. There's Cub Scouts. There's Boy  
11 Scouts. There's different community programs out there,  
12 but the parent is the one that has to take that kid to  
13 the program and make sure that those programs are  
14 available.

15 So I think those are issues that we're  
16 trying to address.

17 A difficult that we have is that a lot -- a  
18 certain percentage of that group, at least, is fairly t  
19 transient, so it's difficult to have that kid or to have  
20 that parent in the program for any length of time.

21 What we do see, a larger percentage of the  
22 kids that we're seeing in this CEO program are Hispanic  
23 kids and, surprisingly, to me, are smart -- I mean the  
24 kids -- Math and English. I mean they can sit there  
25 when -- when we're more on an individualized basis and

1 somebody's actually making them -- making them do that  
2 type of stuff, but, you know, I can tell you that some  
3 of them -- Yesterday I walked into the room, because  
4 the teacher needed to leave for a little bit, and stayed  
5 with them for a little while and one of them asked me if  
6 I could help him with a math problem and I looked at him  
7 and I said I think you better find somebody else. The  
8 book even said I could use a calculator.

9 So I -- I'll take any questions that you  
10 might have.

11 CHAIRPERSON ROIJAS: Okay. Questions?

12 SHERIFF LEAMING: No?

13 CHAIRPERSON ROIJAS: If not, great. You do  
14 have?

15 MR. HERNANDEZ: No, no, no.

16 CHAIRPERSON ROIJAS: You do have?

17 MR. HERNANDEZ: No. No questions.

18 CHAIRPERSON ROIJAS: Thank you very much.  
19 Appreciate your information and, if we need further  
20 information, we will be in touch.

21 SHERIFF LEAMING: Okay. Thank you much.

22 CHAIRPERSON ROIJAS: Thank you.

23 \* \* \* \* \*

24  
25 CHAIRPERSON ROIJAS: Our next presenter is

1 Glover Craig.

2 SHERIFF CRAIG: Is what?

3 CHAIRPERSON ROIJAS: Glover Craig.

4 SHERIFF CRAIG: Grover.

5 CHAIRPERSON ROIJAS: I'm sorry. Please  
6 forgive me.

7 SHERIFF: CRAIG: Well, I've been called a  
8 lot worse.

9 CHAIRPERSON ROIJAS: I say it the way I read  
10 it.

11 SHERIFF CRAIG: All right.

12 CHAIRPERSON ROIJAS: Please state your name,  
13 address, and occupation for the record.

14 SHERIFF CRAIG: Grover Craig. 304 North  
15 9th, Garden City, Kansas, and I'm the Finney County  
16 Sheriff.

17 CHAIRPERSON ROIJAS: Okay. I'm sorry.  
18 That's pretty funny, though.

19 MR. HERNANDEZ: And I'll take the mistake  
20 for that -- I'll be responsible for that mistake.  
21 Sorry, Sheriff.

22 CHAIRPERSON ROIJAS: And he's driving a blue  
23 car.

24 SHERIFF CRAIG: All right. I'll target him.

25 CHAIRPERSON ROIJAS: We're not sure if he

1 has any I. D.

2 Do you have a statement on the issue of race  
3 relations in western Kansas with respect to your job or  
4 community activities?

5 SHERIFF CRAIG: Well, basically, what I've  
6 done is I went down the list that I received in the  
7 letter that was sent to me and tried to pull out some of  
8 those things and talk about them. Hopefully, I can get  
9 that done in 15 minutes or less.

10 CHAIRPERSON ROIJAS: Excellent. Would  
11 appreciate hearing your comments.

12  
13 GROVER CRAIG,

14 SHERIFF, FINNEY COUNTY, KANSAS

15  
16  
17 Well, No. 1, as sheriff, my main  
18 responsibility is to keep the peace and that encumbers a  
19 lot of things and I would say up front that in Garden  
20 City and Finney County we have -- although the sheriff  
21 has jurisdiction throughout the county, which would  
22 include the city, we pretty much leave what goes on in  
23 the city to the Police Department and we try to handle  
24 those things out in the county, which I can tell you  
25 very definitely that that's enough to keep us busy.  
26 We're fortunate to have the good Police Department we  
27 have here.



1 I am also in charge of the jail and that is  
2 a pretty good sized job in itself with all the things  
3 that do go on in the jail. We also have a Patrol  
4 Division, a Warrant Division, an Investigation Division,  
5 and an Office Division, a Civil Division. We collect  
6 taxes and we now have animal control out in the county  
7 and we have also a position of what we call crime  
8 prevention and gang officer.

9 They asked about what you think, in the  
10 letter, the public view is of the Sheriff's Office and  
11 I've had quite a lot of experience and had an  
12 opportunity to deal with the public quite a while. I've  
13 been Sheriff for 25 years. Prior to that, I had another  
14 nine years in law enforcement in Garden City and in  
15 Finney County. So I've been involved in it for 35 years  
16 here in the community. Kind of grown up with it. Kind  
17 of growing up with the community as it's enlarged and as  
18 it's -- and as it has grown.

19 And the view that I have and the way that I  
20 view the community and I view the Sheriff's Office is  
21 that we are a very well respected organization within  
22 the community with all its citizens, which includes  
23 Hispanics, the whole area.

24 So I feel that part of the -- part of that  
25 is the fact that over the years we've been very

1 fortunate in getting Hispanic officers to work with the  
2 Sheriff's Office. We now have 15 people who are  
3 Hispanic that work in the Sheriff's Office and that  
4 gives us a pretty good, I think, edge and one of the  
5 things that I kind of put on those people is to keep  
6 their ear to the community, to the different  
7 organizational meetings they go to to reflect back to as  
8 to how we in the Sheriff's Office, all the way from the  
9 office personnel to jail personnel to the people that  
10 serve civil process to the guys on the street to the  
11 detectives, the Investigation Division, and the guys who  
12 are in the Warrants Division that take our people --  
13 that take people to court all the time how are we  
14 treating people, how are we involved with people and I  
15 get very positive comments.

16 And, you know, again, as I told you earlier,  
17 we've been in the business here -- I have as Sheriff --  
18 for 25 years and, quite frankly, and I would be up front  
19 with you, I haven't had to be investigated or the  
20 Sheriff's Office and I think that our reputation in the  
21 community is excellent, that we do have a good rapport  
22 with -- with all of our citizens here and I'm very proud  
23 of that. I want to say that up front. That takes care  
24 of the public view.

25 Success stories. Again, I think one of the

1 success stories is having the -- and when we're talking  
2 about race relations, is to have the number of officers  
3 that we have that are of Hispanic descent and it -- it,  
4 in that success story that we talk about, again, is --  
5 and I'm very fond of it and proud of it -- is the fact  
6 that the relationship we have with the community, I  
7 feel, is a -- is a very tremendous success in itself.

8 If I would say some of the things that are a  
9 problem to some of the officers is -- and that's the  
10 language barrier.

11 We're trying to be involved with that  
12 language barrier. We have tapes now that the officers  
13 take in their cars and, when there are not those busy  
14 moments, they're trying to -- to learn Spanish off of  
15 these -- I can't even tell you now. It's one of those  
16 that they advertised years about how you learn Spanish  
17 quick and -- and I wanted to write the company one time  
18 and say it's not as quick as what you guys are leading  
19 all of us to believe, but we're having some -- some  
20 success with that and, as we go along, we hope to better  
21 that so that -- that our officers can have a better  
22 relationship in being able to talk to, not so much the  
23 kids, because the kids -- it's kind of like with the  
24 Vietnamese -- the kids will speak pretty good English,  
25 but a lot of times the parents and the grandparents

1 don't and it's essential to reach them as you deal with  
2 the kids that are involved in trouble to be able to  
3 communicate with them.

4 We also -- Some of the changes that we've  
5 done over the years is -- and I heard Captain Hawkins  
6 talk about the different things that are in Spanish so  
7 that -- so that more people can be reached and better  
8 communications can be there.

9 We, for years, the Police Department and  
10 Sheriff's Office, have gone to our merchants and we have  
11 a magazine or a book, whatever you want to call it, that  
12 talks about drugs and alcohol and all these years we've  
13 had that just in English and this year for the first  
14 time that is going to be put in Spanish. We're going to  
15 have both English and Spanish and those are taken to the  
16 homes. We put them out to all the kids in school. We  
17 go into the schools and deliver those and for the first  
18 time not only in words, but with pictures, talking about  
19 all the problems that drugs and involvements in gangs  
20 and those things. They, for the first time, are going  
21 to be able to take those home and they're going to be in  
22 Spanish. So I think that'll be of a very large help.

23 I've talked about -- In '96, for the first  
24 time -- we've had a crime prevention officer for a  
25 number of years that goes into schools and puts on a

1 puppet programs and those kind of things. This year,  
2 and we've just recently interviewed, we're going to have  
3 a Hispanic officer who's going to, not only be a crime  
4 prevention officer, but he's going to work with gangs.

5 You know, probably, the biggest problems  
6 happen with those kind of things within the city, but we  
7 know that there are certain areas out of the county that  
8 we have some problems with gang graffiti and those kind  
9 of things and we're going to have this guy.

10 As we interviewed, one of the things he said  
11 in the interview is it's very important when you're  
12 dealing with the kids to take the problem, not only to  
13 the parents, but in some cases to the grandparents and  
14 solicit their help in helping to divert or get the kids  
15 on, maybe, a different path.

16 So we're very happy and very pleased about  
17 it that our County Commission did offer us the  
18 opportunity to have another officer on our department  
19 and he's, specifically, intended to be involved in that  
20 area.

21 The negative effect and negative images,  
22 they talked about that in the letter, and I really don't  
23 feel that the Sheriff's Office has any negativity to  
24 towards it and, again, this is through the lack of  
25 suits, the lack of complaints.

1 I would say that from time to time we're not  
2 totally clear of people from time to time complaining  
3 about something, whether it's up in the jail or how some  
4 of our officers, maybe, at the time has handled  
5 somebody, but we feel that we've taken those to a  
6 positive result in working, not only with the officer,  
7 but with the people that -- that felt that they were  
8 offended. So we feel very fortunate there.

9 Media coverage. I think our media here has  
10 the greatest delight in any elected official or any  
11 official. They get -- You're fair game. I think that  
12 they handle things here very well. We have a good  
13 relationship with the media. I think they do a good  
14 coverage on the news and I don't know what else to say  
15 about that.

16 We talked about jail space. Certainly,  
17 within Finney County here we moved into a new building  
18 in 1983 and it didn't take us long to outgrow it. We  
19 are in the process now, the county, trying to catch up  
20 with our growth here. They have -- have targeted or  
21 prioritized different things that they feel they need  
22 within the county, one being a new general office  
23 building for those people how have lived in the  
24 courthouse and been there since it was built in 1928.  
25 Then they're going to remodel the courthouse into a

1 judicial center. And the third thing, the third  
2 priority they have, is to enlarge the law enforcement  
3 center in the jail. We now have to farm people out to  
4 other counties because of our -- the number of people  
5 that we have in jail. So, again, we're, probably,  
6 looking three to four years down the road.

7 I think that, you know, we're like anybody  
8 else and that is that we certainly could use more money,  
9 we could use more officers, there are more thing that we  
10 could do, but, again, it gets down to economics on to  
11 what we, in fact, can or can't do.

12 I think that one of the things that -- that  
13 we are fortunate in having is the selection of officers  
14 that we have and the way that we've been very fortunate  
15 to get most of our people that we select are -- are from  
16 this area and they understand the area and they  
17 understand the problems that we have in the area and so  
18 I think that, maybe, this is one of the reasons that  
19 we've enjoyed the success that we have.

20 I think that, you know, I've said this many  
21 times and I heard some senator say at one time that we  
22 at one time in our community, all over the United States  
23 communities helped to raise kids and, if I see a problem  
24 now within the community, whether it -- and I don't know  
25 that it has much so much to do with race relations, but

1 communities no longer help raise kids. They don't get  
2 involved with them that much anymore. There's a lot of  
3 -- of disrespect with our young people and, if I really  
4 said we had a problem -- and I'm talking about all young  
5 kids -- not all young kids, just a certain number of  
6 kids that really don't have the respect that they used  
7 to have, it's not instilled in them, and I think that we  
8 as a community, we as a nation certainly need to do more  
9 and our legislators need to do more in the way of  
10 getting a handle on our juveniles and how you better  
11 bring them up so that the respect can be re-instilled in  
12 them.

13 CHAIRPERSON ROIJAS: Thank you very much.

14 Any questions?

15 (No response).

16 CHAIRPERSON ROIJAS: That's it.

17 SHERIFF CRAIG: Thank you.

18 CHAIRPERSON ROIJAS: Thank you for your time  
19 and for your comments.

20 \* \* \* \* \*

21  
22 CHAIRPERSON ROIJAS: Why don't we take a  
23 five minute break and we will be back here no later than  
24 4:15. A four minute break.

25 (Recess)



1 CHAIRPERSON ROIJAS: All right.

2 DR. RIPPLE: I'm Dr. Gordon Ripple. I'm the  
3 Deputy Superintendent, Unified School Distrtict, No. 480  
4 in Liberal, Kansas. My address is 401 North Kansas,  
5 Liberal, Kansas.

6  
7 DR. GORDON RIPPLE

8 DEPUTY SUPERINTENDENT,  
9 UNIFIED SCHOOL DISTRICT NO. 408  
10 LIBERAL, KANSAS

11  
12  
13 Unified School District 480 is very  
14 interested in reflecting a pro-active and positive image  
15 of our community and our school districts in this  
16 proceedings.

17 Our society in southwest Kansas is rich and  
18 a vibrant mosaic of a changing culture and populations  
19 which we have seen increase -- minority populations that  
20 we have seen increase -- over the last ten years.

21 We believe in our district that the great  
22 equalizer for all minority and non-minority people deals  
23 with education.

24 We believe that quality is the primary  
25 emphasis that should be looked at in looking at  
26 educational programs. Our vision statement in our  
27 district reflects quality learning through qualify  
28 education.

1           Quality in the Liberal public schools is  
2 meeting our customers' requirements at all times, in  
3 striving to exceed them whenever possible. We believe  
4 that quality is never an accident.

5           Let me share with you some of the quality in  
6 our town and our educational system, if I may.

7           Liberal public schools was the very first  
8 school district in the State of Kansas to receive a  
9 Title VI(b) grant or Title VII grant, pardon me, in the  
10 State of Kansas in 1989. This program provided services  
11 for limited English speaking youngsters and also non-  
12 English speaking youngsters.

13           Since the first grant, we have also received  
14 an additional Title VII grant in our district and we're  
15 one of the few districts in the State of Kansas who have  
16 been awarded double grants out of Title VII.

17           Our first grant was called LEAP. This is  
18 the liberal English and academic through preview grant.  
19 Now let me explain to you a little bit about what this  
20 grant entailed.

21           This placed a fully trained para-  
22 professional into high minority schools in our district.  
23 The utilization of such curriculum approaches as  
24 sheltered English and cooperative learning were emphasis  
25 and we provided services to some 200 and -- or 323

1 students in a K through 5 program.

2 The second Title VII grant that we received  
3 was called the PACE program and this is the program for  
4 accelerated comprehension of English. This particular  
5 program was designed for the youngsters who are in the  
6 sixth through twelfth grade and provided an immersion  
7 program in the English language. Again, this was viewed  
8 as being very productive and positive.

9 This program also had attached to it a  
10 training component and we provided in-service staff  
11 development training for all of our employees in Unified  
12 School District 480.

13 In Liberal we are the second largest  
14 employer, National Beef being the largest employer. We  
15 also have cooperated with numerous colleges and  
16 universities, Oklahoma State University, Kansas Newman,  
17 Ft. Hayes State University, and the University of  
18 Kansas, in bringing training programs to our area to  
19 train teachers in ESL teaching.

20 The district has other programs which  
21 address the needs of our minority students. We have a  
22 migrant program that provides services to some 710  
23 students. We have an ESL program that provides services  
24 to 872 students. And we have a Title I program that is  
25 currently providing reading and math assistance to 394

1 students and approximately 80% of these students come  
2 from a minority background. We have the HALO program at  
3 the high school, which participates in community service  
4 activities, and we have cooperated with Kansas Newman,  
5 and Ft. Hayes to design and offer to our staff a Spanish  
6 course. We had 150 staff members take advantage of  
7 that.

8 At the current time, by using some of these  
9 Title VII grants that we receive, we have been able to  
10 train 12 professional staff members to provide services  
11 to ESL students.

12 We also are very interested in recruiting  
13 minority staff members into our organization. This  
14 becomes a very difficult thing because a lot of school  
15 districts are trying to recruit minority staff members  
16 and the competition is fierce.

17 Our most, probably, important recruiting  
18 tool that we use is what we call grow your own. We have  
19 developed a program with Seward Community College and  
20 Ft. Hayes State University where we will select a  
21 minority candidate that is interested in becoming either  
22 an elementary or secondary teacher and provide them with  
23 books, tuition, and employment if they will go and get  
24 additional training and become a teacher and then return  
25 to our community.

1                   This year we have emphasized a very positive  
2 relationship with National Beef, our largest employer.  
3 Some of the things that we are working with them, we  
4 have coordinated with them that they will give some of  
5 their employees release time so that they can attend  
6 parent-teacher conferences. National Beef provides the  
7 school district with a bulletin board so that we can  
8 post information both in Spanish and English about our  
9 schools. They are interested in working with us to  
10 develop and enhance such programs as parent education  
11 programs and also teaching English as a second language.

12                   We have had a very positive inter-action  
13 with National Beef. They have provided over \$10,500.00  
14 this year to our community in support. They are the  
15 largest contributor to many of the organizations in our  
16 community. They also have provided numerous trips  
17 through their corporate aircraft for individuals who  
18 need to -- to get home for various reasons.

19                   The school district has provided a course  
20 for minority parents in the area of systematic training  
21 for effective parenting and we also provide programs  
22 which is called Preparing for the Drug Free Years.

23                   We have a fiesta night at both McDermott-  
24 Garfield and Washington School and this is the  
25 opportunity for the parents and family members to

1 partake of ethnic food and to enjoy programs put on by  
2 their students. We have over an 80% participation rate.

3 We are pleased to work with all parents in  
4 our district and we're constantly searching for new ways  
5 to meet unique needs of both the students and their  
6 parents. Thank you.

7 CHAIRPERSON ROIJAS: Thank you. Questions?

8 MR. NULTON: I have a couple. These are  
9 prompted by concerns that other presenters have made  
10 known to us.

11 Can you tell me what the Board of  
12 Education's policy is as far as public participation in  
13 board meetings?

14 DR. RIPPLE: As far as public participation  
15 at board meetings, anyone who would like to participate  
16 in a board meeting comes to the board meeting and fills  
17 out a yellow -- what we call a yellow card. They are  
18 then allowed to address the Board of Education at that  
19 particular meeting. We do have a time limit of three  
20 minutes for the presentation. If they need more than  
21 that, we ask them to get a hold of either our  
22 superintendent or the president of our board so that we  
23 can place them on the agenda officially.

24 MR. NULTON: Is there any restriction  
25 provided they go through that on the ability to address

1 the board?

2 DR. RIPPLE: The only restrictions that  
3 would apply would be those things that would need to be  
4 handled in executive session that would deal with  
5 identifiable information of either a student and/or an  
6 employee.

7 MR. NULTON: I'll ask for your comment on  
8 what I would characterize as an allegation that has been  
9 made pertaining to the Liberal District and that is,  
10 specifically, that it appears that more minorities drop  
11 out of school, but then are encouraged to get into the  
12 GED program.

13 DR. RIPPLE: Our drop out rate, as far as  
14 the district is -- is concerned, has been pretty stable  
15 over the last three to five years.

16 I am not personally aware of something like  
17 that happening. I could see a situation. We do not  
18 have any type of alternative education program. .

19 Sometimes students need to work and that's  
20 why they don't come to school and through the GED  
21 program it gives them the opportunity to go to school in  
22 the evening and to get the GED where we do not have  
23 evening classes for those non-traditional students. So  
24 I can see, perhaps, maybe, where that might transpire.

25 MR. NULTON: But, to your knowledge, at

1 least, there is no practice of encouraging this type of  
2 a situation?

3 DR. RIPPLE: Not to my knowledge, sir, no.

4 MR. ACRE: Do you feel that there is enough  
5 encouragement for secondary students, high school  
6 students, to continue their education and to graduate,  
7 rather than dropping out?

8 DR. RIPPLE: My opinion would be that we are  
9 encouraging all of our students to stay in school. We  
10 are part of the tech-prep consortium with the community  
11 college and with the vocational technical school and a  
12 lot of students that are not going to be traditionally  
13 headed to a four year college or university we try to  
14 get them into other programs where they can stay in  
15 school and be a successful contributing member to  
16 society. So we're trying our very best to encourage all  
17 of our kids to stay in school. It's very important.

18 MR. ACRE: Do you have -- What type of  
19 disciplinary measure do you have? Do you have in-house  
20 suspension, out-house suspension? Would you speak on  
21 that, please?

22 DR. RIPPLE: Sure. You bet. We have a  
23 program and I'm sure most of -- some of you are familiar  
24 with you. It's Lee Cantor's assertive discipline  
25 program and all of our schools are, primarily, 1



1 subscribing to that philosophy, which is a non-intrusive  
2 type of discipline.

3 For those individuals who decide to not  
4 adhere to the discipline policies and commit major  
5 infractions with the rules, we have in-school  
6 suspension, which we call SID, which is in a separate  
7 building; and then those individuals who -- who violate  
8 the provisions for SID or who demonstrate behavior that  
9 is injurious to themselves or others may be placed on a  
10 five -- a five day or three day suspension.

11 MR. ACRE: Does this cause friction and  
12 feeling between the other students; that they realize  
13 that this person has been -- gone through this position?

14 DR. RIPPLE: I'm sure that it, probably, has  
15 some effect on -- on the other students. To what degree  
16 that might have an effect, I, really, can't say, but I'm  
17 sure that any time that you have that kind of behavioral  
18 discipline procedure it may cause other students to get  
19 involved in something that may or may not be directly  
20 related to them.

21 MR. ACRE: Is this suspension mainly in high  
22 school or what procedures to you use in the lower  
23 grades?

24 DR. RIPPLE: Primarily, the high school  
25 suspension is an option. Again, the behavior has to be

1 injurious to themselves or others or disrespect or  
2 fighting or quarreling or something like that. This  
3 also takes place in the middle school environment.

4 Again, we try to deal with as much of the  
5 disciplinary problems in the classroom as we can and  
6 there is a cascade of services or a cascade of  
7 disciplinary intervention.

8 At the elementary school the only individual  
9 that I am aware of that has been suspended or expelled  
10 from school would be an individual who brought a weapon  
11 to school and, under the federal guidelines, of course,  
12 we're bound that we have to do something about that.

13 CHAIRPERSON ROIJAS: Is that it? Any other  
14 questions?

15 DR. SUH: A question.

16 CHAIRPERSON ROIJAS: Dr. Suh.

17 DR. SUH: What is good relation between  
18 white student, minority student, especially, midwestern  
19 student? Are there good relations in every school?

20 DR. RIPPLE: That's a difficult one to  
21 really address because we like to believe in Liberal  
22 that we are the buckle of the Bible belt and that --  
23 that the individuals who live in Liberal subscribe to  
24 the philosophy of treating one another as they would  
25 like to be treated. However, that doesn't necessarily

1 always take place and we do have some tensions.

2 I'm concerned personally about some of our  
3 kids who I refer to as latch key kids. They go home  
4 after school with no one there to meet them. They need  
5 to have a need for affiliation and, instead of getting  
6 affiliated with things like our Kids, Inc. program or  
7 Boy Scouts or Girl Scouts, they're getting affiliated  
8 with gangs and that concerns me a great deal and that's  
9 not just in Liberal, Kansas, USA. Unfortunately, that's  
10 all over.

11 I personally fail to really understand why  
12 people can't get along as far as ethnicity is concerned.  
13 That makes no sense to me personally, but I do know that  
14 there are a lot of bigoted people throughout the United  
15 States and Liberal has its share, also.

16 MR. JENKINS: What type of programs are  
17 being developed beyond what you just mentioned to  
18 address that particular problem in your school district?

19 DR. RIPPLE: Well, one of the things that we  
20 put into place at the middle schools, as an example,  
21 last winter is a mediation program and the mediation  
22 program is trying to help kids realize that there are  
23 other ways to deal with disagreements besides fighting  
24 and the mediation program has been successful at the  
25 middle schools and, as you know, many students are going

1 to try out their physical armor, primarily, when they're  
2 in the middle school years, and so we felt like this was  
3 an important place to target mediation and it's been  
4 successful.

5 As they move into the high school, the high  
6 school program, of course, works with them on  
7 individually -- on individual counseling. We have  
8 special arrangements now with all of our teaching staff  
9 where we have a home base in the morning, like a home  
10 room, and the students for 30 minutes come into that  
11 home room and that's an opportunity for that teacher to  
12 listen to what may be bothering some of the kids and to  
13 work with them and help them design other ways of  
14 dealing with their frustration besides action/reaction.

15 MR. JENKINS: Outside of the classroom, but,  
16 perhaps, in your lunch rooms and gatherings of students,  
17 do you find that students are self-segregating  
18 themselves by race?

19 DR. RIPPLE: I think that, you know, again,  
20 it depends on the school. Quite frankly, where we have  
21 a high proportion of minority kids, I see that  
22 happening. I also see that occurring at Liberal High  
23 School. You know, where it's sort of a self-selected  
24 grouping, but then I see that with teachers, too. I  
25 mean the teachers all group at a table, too. So I don't

1 know how much of that is selected through -- through  
2 their own ethnicity and how much of that's just selected  
3 by friendship. I don't know. But, if you would walk  
4 into our cafeteria, you would definitely see groups of  
5 individuals sitting together, yeah.

6 MR. JENKINS: Which raises the concern of  
7 the larger picture in America concerning race relations,  
8 that we've gone through a period of integration and now  
9 we're back to the period of segregation in some of the  
10 schools, even though we have integrated school systems,  
11 so to speak; but kids are, particularly, in the high  
12 school level, are segregating themselves. Does this  
13 cause concern and what do you see? How do you break  
14 that then? Because the kid has to leave that  
15 environment of the school and begin to work in the  
16 larger society.

17 DR. RIPPLE: That's true.

18 MR. JENKINS: And, without those human  
19 relations skills coming into play, then those bigoted  
20 attitudes will carry over into the work place.

21 DR. RIPPLE: Yes, it does concern me. It  
22 concerns me in our society. It concerns me in Liberal,  
23 Kansas, USA.

24 My feeling is -- is that we need to -- to  
25 somehow, and I don't know what that somehow is, Melvin.

1 I have no idea. I wish I did. I'd be able to implement  
2 it. There has to be some method or vehicle that our  
3 society can use to put the parenting back in the home  
4 where it belongs. Kids need to know that they're safe,  
5 that they're secure, that they're going to have meals,  
6 that they're loved, and those -- those sorts of things  
7 are something that any school district or community or  
8 anything else cannot provide for them.

9 For instance, in our tech-prep program we  
10 believe that it takes a whole community to raise a  
11 child, but it's extremely important to have that support  
12 and assistance and involvement from parents and I don't  
13 know about you, but over my 48 years of existence I have  
14 seen more of a disengagement from some of the parental  
15 responsibilities throughout our society than I have seen  
16 engagement and I think, if there's some way we can help  
17 foster that, that's why we have the parent effectiveness  
18 training program. That's why we have the systematic  
19 training for effective parenting and many of the other  
20 programs that we're trying to -- to really spearhead  
21 parent involvement.

22 But our society is becoming more loosely  
23 coupled and that concerns me. The whole idea of family,  
24 the importance of family, is to gain and that concerns  
25 me and I don't know how you fix that. I really don't.

1 MR. JENKINS: I know we're running short of  
2 time, but a couple more areas I want to hit quickly.

3 One of the things that is of concern to the  
4 Advisory Committee is the disproportionate placement of  
5 or the lack of minority participation in the -- in the  
6 AP classes. Have you analyzed the data from your  
7 particular school district to see whether or not there  
8 is a disproportionate number of minorities in your  
9 special education classes and then the lack of  
10 minorities in the AP classes?

11 DR. RIPPLE: We have taken a look at our  
12 special education programs and, proportionally,  
13 proportionately, when you're looking at handicapping  
14 conditions, and research is going to tell us about 12%  
15 of our population is going to require some sort of  
16 special education and intervention, I do not see where  
17 there is a disproportionate number of students.

18 In our applied classes, as far as the number  
19 of kids that are in there, I -- I have not seen the  
20 number of minority kids that I would like to see in --  
21 in our applied classes.

22 MR. JENKINS: Given that, then what type of  
23 program would you like to see to have more minority kids  
24 included in those classes?

25 DR. RIPPLE: Well, again, I think it starts

1 down in the elementary schools. I think that we -- we  
2 start doing awareness kind of activities.

3 Part of our strategic plan deals with work  
4 place competencies and I think you start that in  
5 elementary school. You start talking about cooperative  
6 participation. You talk about working together in  
7 groups. You talk about respecting one another's  
8 dignity. You talk about the importance of employment.  
9 You talk about that everyone in the year 2,010, about  
10 14% of the jobs will require four year college education  
11 and the vast majority will require two years of training  
12 beyond high school and you start bringing some of that  
13 to their attention.

14 And then I think you encourage, encourage,  
15 encourage to get them involved with -- If it's a  
16 college-bound student or if it's a tech-prep student.  
17 My son, for instance, went through the tech-prep  
18 program. He's out at the Liberal Area Vocational  
19 Technical School in electronics. He will, probably,  
20 earn more his first year than a four year graduate with  
21 a teaching degree.

22 So I think that students need to be made  
23 aware of that, that technology and technical education  
24 isn't like it used to be and we need to encourage them  
25 to get them in that and we have counselors that are



1 working with -- with the youngsters now, too, in the  
2 elementary schools.

3 MR. JENKINS: Is the AP based on tests or  
4 what criterion is used to do that?

5 DR. RIPPLE: We use a screening test as far  
6 as helping kids, like the Kuder Preference Test, helping  
7 kids to identify their strength as far as employability  
8 skills would be concerned and -- and we don't have any  
9 kind of an academic test that they have to take. For  
10 instance, we don't use the California Achievement Test  
11 or something for cut off scores.

12 If someone seems to be more interested in  
13 going into auto mechanics or something like that, our  
14 counselors sit down and show them the various programs  
15 and what they have to as far as the applieds are  
16 concerned to get into the auto mechanics program at the  
17 vocational-technical school. But, primarily, they're  
18 interest surveys.

19 MR. JENKINS: I'm sorry.

20 CHAIRPERSON ROIJAS: Did you have a  
21 question?

22 MR. HERNANDEZ: Yes. I also have one  
23 comment. I think you -- you made mention to some, you  
24 now, you know, early on you were connected with some of  
25 the bilingual programs here in Liberal.

1 DR. RIPPLE: Uh huh.

2 MR. HERNANDEZ: For sure, Title I and  
3 others, but that's Chapter -- Chapter I.

4 It seems like you said you're using a para-  
5 professional in some of the minority classes and I take  
6 this to mean English as a second language and --

7 DR. RIPPLE: Yeah.

8 MR. HERNANDEZ: And those type of classes  
9 where the mono-lingual Spanish speaking high school  
10 students are, quote, segregated for a portion of the  
11 day.

12 It would seem to me that since 1970, the Lao  
13 decision, that there would be a conscious effort to try  
14 to recruit minority teachers to the Liberal School  
15 District and so you're still using para-professionals  
16 and I think the staffing patterns --

17 DR. RIPPLE: Well, let me explain that para-  
18 professional thing because I could be mis --  
19 misunderstood.

20 MR. HERNANDEZ: Okay.

21 DR. RIPPLE: What we do, we have a certified  
22 teacher in that class room. The para-professional then  
23 works with those kiddoes in helping them develop  
24 language skills.

25 MR. HERNANDEZ: Okay.

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DR. RIPPLE: They're not in charge of the classroom.

MR. HERNANDEZ: Yeah.

DR. RIPPLE: Okay.

MR. HERNANDEZ: I understand that there is a certified --

DR. RIPPLE: Yeah. Teacher.

MR. HERNANDEZ: -- degreed teacher in that uses the para-professional for --

DR. RIPPLE: Right.

MR. HERNANDEZ: -- the translation if they're mono-lingual. Okay?

DR. RIPPLE: Uh huh.

MR. HERNANDEZ: The teachers that is. Okay?

DR. RIPPLE: Uh huh. Right.

MR. HERNANDEZ: Yeah, I understand the concept of the para-professional in the classroom.

DR. RIPPLE: Okay.

MR. HERNANDEZ: But it seems to me that after 25 years that there ought to be a better staffing pattern of -- of bilingual or multi-cultural school teachers in the school districts, especially, over here in, for sure, Garden City and -- and Liberal.

DR. RIPPLE: Well, now --

MR. HERNANDEZ: Now. Okay. Scratch --

1 DR. RIPPLE: Yeah. Okay.

2 MR. HERNANDEZ: I mean that's just the kind  
3 of comment.

4 DR. RIPPLE: Okay.

5 MR. HERNANDEZ: I want to move on to one  
6 important question that I have.

7 DR. RIPPLE: Okay.

8 MR. HERNANDEZ: And that has to do with the  
9 suspension issue that you talked about.

10 DR. RIPPLE: Uh huh.

11 MR. HERNANDEZ: Are the students that are  
12 suspended, are they notified and are their parents  
13 notified in -- in both languages of the due process  
14 hearing --

15 DR. RIPPLE: Yes, sir.

16 MR. HERNANDEZ: -- that they're entitled to?

17 DR. RIPPLE: Yes, sir. If they are --  
18 They are not only notified in both languages; they also  
19 are contacted verbally and, if they do not speak  
20 English, we have one of our teachers at the high school  
21 who would be bilingual translate for them.

22 We try very, very hard, and I'm sure there  
23 are places where we have all slipped up, but we try  
24 extremely hard to -- to make sure that everyone's rights  
25 are protected and not violated.

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MR. HERNANDEZ: Okay. Thank you very much.

CHAIRPERSON ROIJAS: You talk of -- You said there was a bilingual -- a bilingual -- teacher someplace in your school district. A bilingual school teacher.

DR. RIPPLE: Uh huh.

CHAIRPERSON ROIJAS: I'm sure as an educator you are aware that there are many bilingual teachers in the United States.

DR. RIPPLE: Uh huh.

CHAIRPERSON ROIJAS: And I find it rather interesting that school districts have a hard time finding them.

DR. RIPPLE: Yeah.

CHAIRPERSON ROIJAS: I hear many cliches. They don't want to leave their families. But -- And what -- what I'm hearing is the drop out rate, the suspension rate, I'm not going to ask because of -- because of the shortage of time.

DR. RIPPLE: Uh huh.

CHAIRPERSON ROIJAS: I'm just going to make the assumption that Liberal is not any different than any of the other school districts about Hispanic drop out rates and suspension rates. Obviously, what you have been doing hasn't worked or it would change. What

1 do you think can be done to provide role models to these  
2 children who are dropping out that will encourage them  
3 to stay in school, that will encourage them to want to  
4 stay in the educational school system that seems to  
5 promote the one language, one race, one culture?

6 DR. RIPPLE: That's a very complex question  
7 and I'm not going to give you any cliches. I think  
8 there are a couple of issues that you need to look at.

9 First of all, you have to look at it I think  
10 there is cultural differences. I think that sometimes  
11 education is valued in a particular culture or it's  
12 valued by a particular set of parents and sometimes it  
13 isn't. It's very difficult, regardless what you try to  
14 do, to instill upon anyone the value of something if  
15 they have not grown up with it.

16 The idea of providing role models is a  
17 difficult one. I think what happens, as you have,  
18 probably, already found out in -- in listening to other  
19 people in Dodge City, Garden City, and Liberal, we might  
20 as well put revolving doors coming into our community  
21 because people come to Liberal, they stay for a short  
22 period of time and go to Dodge City, work in the beef  
23 packing plants, they go to Garden City, and it's like a  
24 constant revolving door. So it's difficult sometimes to  
25 try to -- to get some of those programs that would work

1 if you could have the kids for a five year period of  
2 time or a three year period of time without a great deal  
3 of movement.

4 I'm also concerned about recruiting minority  
5 teachers. I go on the road every spring. We recruit in  
6 44 different universities, either actively or by mail.  
7 We go into New Mexico, we go into Colorado, we go into  
8 Texas, trying to recruit not only minority, but  
9 teachers, generally. It's real difficult for Liberal,  
10 Kansas, USA to, perhaps, maybe, be as attractive as, say  
11 a Denver, Colorado or Colorado Springs. We don't have  
12 mountains. We don't have water. There are certain  
13 kinds of things that people look for.

14 That's why we have what we call grow our own  
15 and that is working with people in the community who  
16 want to stay in the community, want to further their  
17 education, and every one of those people that have gone  
18 on to get their -- their degree, all of them have come  
19 back and they are now employed as teachers in your  
20 school district and that has been the most successful  
21 and it's been positive and we want to do more of that  
22 type of thing.

23 CHAIRPERSON ROIJAS: So you say you are --  
24 you do have Hispanic teachers then on the faculty?

25 DR. RIPPLE: Oh, yes. We do.

1 CHAIRPERSON ROIJAS: And do you have  
2 Hispanic administrators?

3 DR. RIPPLE: Yes, we do. In fact, I have  
4 one with me.

5 CHAIRPERSON ROIJAS: Okay. And you have  
6 them in policy-making positions?

7 DR. RIPPLE: Yes, ma'am.

8 CHAIRPERSON ROIJAS: Very good. And another  
9 one is -- I think that's it right now.

10 DR. RIPPLE: Okay.

11 CHAIRPERSON ROIJAS: I'm trying to stay  
12 within the time here and I thank you very, very much for  
13 your presentation.

14 DR. RIPPLE: Thank you.

15 CHAIRPERSON ROIJAS: If we have any further  
16 questions, we hope that you will allow us to call you.

17 DR. RIPPLE: Oh, you bet. You bet. Thank  
18 you.

19 MR. JENKINS: Thank you.

20 \* \* \* \* \*

21  
22 CHAIRPERSON ROIJAS: Our next presenter is  
23 Dr. Gene Young from Dodge City.

24 Dr. Young, for the record, would you please  
25 state your name, address, and occupation?



1 DR. YOUNG: My name is Gene Young. I'm  
2 Superintendent of Schools, U. S. D. 443. I live at 1811  
3 Barham in Dodge City, Kansas.

4 I'd like to say from the beginning I know a  
5 little bit about everything, but not too much about  
6 anything and, as you ask me questions, I think you'll  
7 find that to be a true statement. I'm in my fourth year  
8 in superintendency in Kansas. I have previous  
9 administrative experience both in Colorado and Wyoming.

10 CHAIRPERSON ROIJAS: What do you know about  
11 the race relations in western Kansas with respect in  
12 your job or in community activities? Do you know?

13 DR. YOUNG: Let me ask this. Do I make a  
14 short presentation first?

15 MR. JENKINS: Yes.

16 CHAIRPERSON ROIJAS: You can make a  
17 presentation.

18 DR. YOUNG: I'd like to make a short  
19 presentation first --

20 CHAIRPERSON ROIJAS: By all means.

21 DR. YOUNG: -- if I could.

22 CHAIRPERSON ROIJAS: Let's do it.

23 DR. YOUNG: Yeah.  
24  
25

1 DR. GENE YOUNG

2 SUPERINTENDENT OF SCHOOLS, U. S. D. 443  
3 DODGE CITY, KANSAS  
4  
5

6 I'd like to start off by looking at the U.  
7 S. D. 443 quick facts that I've presented on that sheet.  
8 I did this for something else the other day, so I  
9 decided to go ahead and photocopy that for this  
10 presentation today.

11 But I think you can see from that we're a  
12 school district a little over 5,000 kids. We have a  
13 diverse ethnic mix. Our Hispanic population is growing  
14 rapidly. Our Asian population is declining. And our  
15 black population is staying about the same.

16 We crossed over this year at the elementary  
17 level where we're now a minority majority at the K-5  
18 level. We expect that that will cross over district-  
19 wide within the next three years to where we have more  
20 minority students when we add the sub-populations up  
21 than we do white population.

22 We're a district that's growing, you know,  
23 about one new elementary school every other year. So  
24 we're seeing a lot of growth. Dodge did not build any  
25 new school buildings since 1958. So we've been very  
26 crowded. We moved into three new schools this year, two  
27 new elementaries and a sixth grade center and two of the

1 three are over-capacity already. So we're facing  
2 another situation where we have too many kids for the  
3 amount of room at the inn and so we'll have to be  
4 dealing with that.

5 You see about the total amount of money that  
6 we have in the different funds, what our assessed  
7 valuation is. So you can see that we're, probably, not  
8 a real rich school district in terms of either Kansas or  
9 other states. To some extent, that works to our  
10 advantage and in other ways it does not.

11 One of the things that I have seen since I  
12 came in 1992 the amount of money that is given to Dodge  
13 City and comparable school districts have stayed about  
14 the same. It was \$3,600.00 in 1992. This year it's  
15 \$3,600.00 and \$2,600.00. So, in real dollars, we're  
16 having the equivalent of putting on our program without  
17 about \$3,200.00.

18 Now, if you just stayed with the average  
19 cost of living, going across the country, we'd be  
20 receiving about \$4,000.00 per pupil right now.

21 So, as a result of building the new schools  
22 and moving into those schools and the additional costs  
23 that we've had to face over this last year, we've cut  
24 about two million dollars out of our budget just the  
25 balance of this year.

1           That, combined with demand for staff,  
2 additional costs of new buildings, and that, has made us  
3 really tight in Dodge City.

4           Some of the recent district highlights,  
5 probably, you'll note down there. Particularly, U. S.  
6 Department of Educational Exemplary Program Award for  
7 Service for Disadvantaged Youth. That was a national  
8 award we received about two years ago that looked at our  
9 migrant program. I felt we had an outstanding migrant  
10 program and received an award for that.

11           We do a lot of community service and  
12 received national recognition for that, also.

13           So those are some of the good things that  
14 have happened in Dodge City over the last two or three  
15 years.

16           In terms of our migrant bilingual program,  
17 we've been told by the state we have the largest program  
18 in the state. We serve presently 2,283 students in our  
19 migrant program. We've had a major shift in emphasis in  
20 our migrant program in this last year. We have less  
21 personnel now in the classrooms K-12. A majority of our  
22 money, about 45% of the migrant money, now goes into a  
23 program called Bright Beginnings, which is consistent  
24 with the Gold's 2,000 goal of having all students ready  
25 to start school.

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I just read in the Gold's 2,000 Update today that children by age three will have acquired half of all language skills that they'll have as an adult. So you can see the emphasis that of those grade levels -- actually before they get to the grade levels -- is important. We're doing what we can do emphasize that in our district.

In regard to the migrant program, we have parent meetings, at least, twice a month. ESL parent classes for parents are offered two or three times each week. Parents are encouraged and expected to become very involved in those programs.

We don't supplement the migrant program at all with district money. It has not been a practice to do that in the past. With the shortage and the scarcity that we're having, even though we'd like to do that kind of thing, we have a number of programs that are short.

About 40% of our migrant money also goes into the secondary level and the remainder, 15%, going into elementary buildings.

We serve about 600 students in our summer program with our migrant program. So they have a large migrant program in the summer for students.

Our bilingual ESL program is a program that's grown a lot in the last two or three years. That

1 is due, in part, to the number of students that we have  
2 that qualify, but it's then due in large part to the  
3 number of teachers that we have certified. We have some  
4 buildings now that every staff member is certified. We  
5 put a policy through that, if they take the ESL courses  
6 to require them to become certified, then we reimburse  
7 the tuition 100%. That certainly has helped.

8 We have a number of other programs we're  
9 looking at. I mentioned before that elementary schools  
10 are going to become or have become minority majority.

11 In conjunction with building the new  
12 schools, we commissioned a committee to take a look at  
13 redrawing the boundaries or what to do in regard to  
14 distributing the population. They recommended that we  
15 go to magnet schools, try to draw people to the new  
16 areas. We're looking at that concept now. We submitted  
17 a grant for magnet school help, did not receive that,  
18 have continued to pursue that. Those magnet school  
19 concepts will go to the board for approval in January.  
20 We definitely are going to do that.

21 We're also definitely doing a concept called  
22 controlled choice and some of you may be familiar with  
23 that, some of you may not; but what controlled choice  
24 will do over a six year period will equalize our  
25 population among our seven elementary schools so we have

1 approximately the same amount of minority and non-  
2 minority students in each building.

3 We presently have as high as 90% minority in  
4 one building and as low as 10% minority in another  
5 building. So, by starting controlled choice with the  
6 kindergarten students this fall, we'll be able to phase  
7 that through and over a six year period get the schools  
8 equalized out.

9 We think that's going to be real good for  
10 the students to be in a setting like that. We think  
11 that'll help equalize educational opportunity in the  
12 school district. We also think that in the process, by  
13 doing magnet schools, that we'll be able to draw some  
14 people to certain schools in town because they desire a  
15 certain concept of education.

16 We've had a real range of magnet schools  
17 submitted. We have some schools that want to open at  
18 6:00 in the morning and stay open 'til 6:00 at night.  
19 we have some schools that want to stay pretty  
20 traditional. We have one school that wants to be a fine  
21 arts school. We have a school that wants to be called a  
22 family school where the teachers stay with the kids more  
23 than one year. They're presently doing that. We have a  
24 school that's already multi-age. They'll continue with  
25 their multi-age.

1           So people ought to get a real choice and  
2 variety in the elementary schools in Dodge City.

3           We feel like, if we can have parental  
4 support, the parent are happy, we're in a much better  
5 position to get a good education for the kids, because  
6 we'll enjoy the parental support.

7           One constant in all those magnet schools  
8 will be that the basics will be taught. So kids will  
9 still have to achieve the district outcomes and still  
10 have to do well on the state achievement tests, that  
11 kind of thing. So we're not going to ignore the basics  
12 in any of those.

13           Kind of keying off some of the other  
14 questions you've asked, we have a real active  
15 business/education round table. The fact is, as we came  
16 over here today, the two ladies that came with me were  
17 asking about an editorial that was in the paper just  
18 today in regards to NEA.

19           One of the activities that that round table  
20 has done, actually, at the -- I guess the two people who  
21 did the most work on the minority scholarship program  
22 through the business/education round table were the  
23 college president and myself. That was passed this last  
24 spring.

25           The colleges, both locally and statewide,



1 have been very supportive in terms of contributing  
2 tuition, labors, that kind of thing. We're having a  
3 real hard time on the local level getting contributions  
4 to match that program.

5 We've added a number of activities and  
6 school programs since I've been there. The most notable  
7 might be scholar. Inter-scholastic soccer. Certainly,  
8 a number of our Hispanic kids are interested in that,  
9 but one of the interesting things that we've seen is  
10 that we've got a lot of kids of all nationalities  
11 interested in soccer. It's a boy's soccer team, but  
12 we've got a number of girls -- I think six girls -- on  
13 that soccer team, also. So that's been kind of good.  
14 We'd like to encourage that throughout the area and see  
15 if we couldn't get some more people playing soccer in  
16 western Kansas. Where I came from, soccer's a real  
17 popular sport for all kids and it tends to appeal to a  
18 different type of -- group of kids sometimes than  
19 football.

20 The high school and college, in conjunction,  
21 has been very active in promoting a multi-cultural day  
22 every year where we put a lot of kids on campus. That's  
23 been real successful for us and we've had a real good  
24 program -- in fact, we received national recognition for  
25 this program, too, last year -- is one of the three

1 outstanding programs where we have college kids coming  
2 down in the middle school, working with middle school  
3 students, helping them get a vision of what they can do  
4 and some of those college kids are real good role models  
5 for older kids.

6 You have a sheet, also, that shows the  
7 number of drop outs that takes you clear back to 1980-  
8 81. What was interesting to me as I look back at this,  
9 and this data has been fairly constant, that, although  
10 the number of students that we have in Dodge City has  
11 gone up quite a bit, the actual number of drop outs has  
12 gone down and the percentage of drop outs has gone down.

13 Now, as you read through that, it gets a  
14 little tricky because it shows how many in each category  
15 in terms of numbers and, also, what the per cent is.

16 So I guess I'd like to start somewhere else.  
17 Maybe, take that home with you, digest it, and, if  
18 you've got questions, call back, because I've asked  
19 about this sheet about four times myself in terms of  
20 what those numbers mean. It makes sense every time.  
21 Going back to the A and S again, now, is this how this  
22 is interpreted and I think I've got it again, but let's  
23 start with your questions and, Madam Chairman, I'll be  
24 glad to start with the first one if you'll just re-ask  
25 it.

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CHAIRPERSON ROIJAS: Does anyone have any questions?

DR. SUH: You mentioned soccer team. I was told that some white family rejecting soccer team. There's no -- no truth?

DR. YOUNG: That you were told what again about --

DR. SUH: Soccer team.

DR. YOUNG: Yeah. We have a soccer team.

DR. SUH: You have a soccer team?

DR. YOUNG: It's about half Hispanic, half white.

DR. SUH: Half white?

DR. YOUNG: About a third female. A third to a fourth female.

DR. SUH: I got misinformation then. I was told that some white family reject soccer team at school. No?

DR. YOUNG: I've been to the games. At least, one game, a home game. We only had one home game because nobody else would come out here to play us. So it's one of those away schedules. I noticed in the basketball schedule the other day there was an article Liberal didn't get to play a home basketball game 'til January 30th because nobody would come here to play

1 them. So they go to Oklahoma and they go to Colorado.

2 We had our first soccer team this year,  
3 inter-scholastic at the high school. We had inter-mural  
4 soccer last spring at the middle school and again this  
5 fall. So it's been a good program.

6 MR. HERNANDEZ: Dr. Young, how long has that  
7 school -- I guess -- and I'm to make the assumption that  
8 it's on the east side --

9 DR. YOUNG: Well, that --

10 MR. HERNANDEZ: The one that is 90% minority  
11 segregated.

12 DR. YOUNG: Uh huh.

13 MR. HERNANDEZ: And I'm going to make the  
14 assumption that it's Hispanic.

15 DR. YOUNG: Yeah. It's Miller. And it's  
16 predominantly Hispanic.

17 MR. HERNANDEZ: How long has that been 90%  
18 or, you know --

19 DR. YOUNG: Well, it's been high forever.

20 MR. HERNANDEZ: Forever?

21 DR. YOUNG: And it's just gotten worse, if  
22 that's the right term, and the two schools that are  
23 going to get impacted a lot in Dodge City are Miller and  
24 Northwest and the other schools there'll become minor  
25 shifting because of the minority situation, but those

1 two are going to see big shifting because in one you  
2 don't have any minority or very few minority, in the  
3 other you have a large amount of minority.

4 I expect to have problems out of both  
5 schools, quite frankly, because a lot of the white  
6 students or the parents of the white students don't want  
7 to transfer to Miller and the Miller students don't want  
8 to transfer to Northwest. You know, they want to stay  
9 where they are. So both of those schools may perceive  
10 that the superintendent of the school board and others  
11 are screwing up a good thing, for lack of a better way  
12 of saying it. Their vernacular.

13 MR. ACRE: The trend in both those schools  
14 seem to want to keep in their own local community.

15 DR. YOUNG: Yeah.

16 MR. ACRE: What about the Obescent School?  
17 Now is that high percentage of minorities in that?

18 DR. YOUNG: It's pretty close to what it  
19 needs to be. I don't have the specific amount there,  
20 but all the rest are pretty closer.

21 The other one we have to worry about a  
22 little bit in terms of balancing out is Willow Roads and  
23 it's a school that's out about six, eight, ten miles and  
24 the Hispanic population there has really been increasing  
25 and it's too high and it's a little bit too high now.

1 It's going to be a real problem just because you got one  
2 school out there and busing and that kind of thing, but  
3 we're committee to balancing clear across and creating a  
4 situation that we think will be good for kids.

5 Now you'll, probably, read about us in the  
6 paper and we'll take a lot of heat and, if I ask for  
7 special help, yeah, because, to a large extent, I'm the  
8 one that's most at risk.

9 CHAIRPERSON ROIJAS: Dr. Young, it has been  
10 my experience that -- or, at least, I think I know --  
11 I'm like you, I know a little bit about something, not a  
12 whole heck of a lot --

13 DR. YOUNG: Uh huh.

14 CHAIRPERSON ROIJAS: -- or to quote you --

15 DR. YOUNG: Yeah, well --

16 CHAIRPERSON ROIJAS: Sort of like. Sort of,  
17 I think.

18 DR. YOUNG: Yeah. You quoted me accurately.

19 CHAIRPERSON ROIJAS: All right. All right.

20 DR. YOUNG: You're right on.

21 CHAIRPERSON ROIJAS: It's not so much that  
22 the children are majority or minority. It's that,  
23 traditionally, in this country, minority students do not  
24 get an equal education as compared to the white  
25 students. The schools are not as well equipped, they're

1 not as well maintained and the teachers aren't as  
 2 interested, even to their mode of dress and their  
 3 grooming. I know. I see it when I'm asked to speak at  
 4 different schools across the country. It bothers me a  
 5 lot. What would you do? Because the concept today is  
 6 that schools should be neighborhood schools and busing  
 7 wasn't that great for minority students because, you  
 8 see, what's going out to the minority student is I can  
 9 only learn when I'm with a white child, which can be  
 10 very demeaning. I know. I was there.

11 And so what I'm asking of you is has the  
 12 Board of Education considered insuring that the schools  
 13 do provide equal education for the same verve and with  
 14 the same enthusiasm to the minority children, the  
 15 schools where the minority children predominate, as they  
 16 do to the white children where they predominate in other  
 17 schools.

18 DR. YOUNG: Well, let me answer your  
 19 question this way. I think what you'd find in Dodge is  
 20 just the opposite of what you're talking about. In  
 21 fact, there's been, again, some heat, if that's the  
 22 correct word, because of that, because the very first  
 23 school that got the teaching and learning centers, our  
 24 TLC computer model, was the Miller School that's  
 25 predominantly minority.

1 Northwest, for example, that's not, since  
2 I'm contrasting those two schools again didn't get five  
3 computers per class room, like Miller didn't, they  
4 haven't had extra help that they got at Miller because  
5 of going to multi-age, and even I argued against that  
6 one myself, so you know where I stood. I thought there  
7 ought to be equity in resources and the principal who's  
8 behind me here would tell you that I argued that for, I  
9 think, two different years, not just one year, and lost  
10 with the School Board.

11 I'm hoping to get that equalized out this  
12 year to where we have equity in the staff, but right now  
13 Miller has more staff and they've also got all the  
14 technology earlier. So they're a year ahead.

15 In effect, they've been training the other  
16 schools that came on this year and we had three that  
17 came on this year and two of our other schools, like  
18 Northwest, will come on fully next year.

19 So, in terms of where the resources have  
20 been going and where a lot of the money and where the  
21 verb and I've forgotten the other term you used --

22 CHAIRPERSON ROIJAS: Enthusiasm. --

23 DR. YOUNG: -- enthusiasm, I'd think you'd  
24 find that that's been very high in Dodge City.

25 CHAIRPERSON ROIJAS: Then how would you



1 explain the high -- the high school drop out rate with  
2 the minority students, if that is the case?

3 DR. YOUNG: Okay. I'm talking about  
4 elementary now.

5 CHAIRPERSON ROIJAS: Well, but, see, they  
6 grow up.

7 DR. YOUNG: Well, let me address that  
8 differently, because that's a part of my answer in terms  
9 of the answer I was giving.

10 In terms of the drop out rate at the high  
11 school, you can see that we do have a high drop out rate  
12 on the Hispanic students. It's almost twice the drop  
13 out rate that the Anglo students drop out and, if you go  
14 clear back to 1980, you know, that's somewhat  
15 historical, but, if you'll also look at the data that we  
16 have and if you'll look at data at other places, you'll  
17 seen that one of the best indicators of a child's  
18 education is the income level.

19 If you compare our Anglo income level in  
20 Dodge City with our Hispanic income level, what you're  
21 going to find is the Hispanic income level is not as  
22 high as the Anglo income. So I hang my hat on that,  
23 first of all.

24 No. 2, I think the Hispanic kids just have a  
25 harder time, whether you take Dodge City or any other

1 place, and you, probably, understand that better than I  
2 do for a lot of different reasons, because you have a  
3 lot better background in that than I do. So I won't try  
4 to explain that, probably, to somebody who understands  
5 that situation a lot better than I do.

6 CHAIRPERSON ROIJAS: No, I don't, because  
7 I'm hearing you say that Hispanic children have a harder  
8 time in learning or don't have the mental, intellectual  
9 capacity to learn at the same ratio as the white  
10 student. That's what I'm hearing you say. I hope I  
11 didn't hear that.

12 DR. YOUNG: That's not what I said. What I  
13 said is --

14 CHAIRPERSON ROIJAS: Good. I'm glad you  
15 didn't.

16 DR. YOUNG: -- we have a harder time keeping  
17 them in school and we really do. Exactly all the  
18 reasons, I don't understand.

19 MR. HERNANDEZ: Along -- along the same  
20 line, keep them in school, holding power, and I just  
21 want to make a quick comparison.

22 You mentioned the soccer team. Do you know  
23 how much the high school football team is budgeted for  
24 and how much the soccer team is budgeted for?

25 DR. YOUNG: Well, I don't know that, but

1 there's no comparison in terms of dollars. Probably,  
2 it's ten to one in terms of football over soccer,  
3 because, if you buy football helmets, for example,  
4 they're up two hundred and fifty bucks a piece now or,  
5 maybe, three hundred. I don't know. I haven't bought  
6 any football helmets or been into that for a while. You  
7 don't have to have a soccer helmet.

8 MR. ACRE: Okay.

9 DR. YOUNG: And football's an expensive  
10 sport.

11 MR. ACRE: Okay. how much -- - How much  
12 have you budgeted for the soccer team, do you know?

13 DR. YOUNG: It seems to me the total soccer  
14 budget last year was about \$25,000.00. That includes  
15 start up costs and that kind of thing.

16 MR. ACRE: Okay. And one assumption I'll  
17 make is that a good soccer team in competition would be  
18 a very powerful holding tool for Latinos and, well, all  
19 nationalities, and you're also adding gender, but the  
20 idea of making them part -- feel part of the school and  
21 I applaud you for having a soccer team at the high  
22 school.

23 DR. YOUNG: It so happens my son is an all-  
24 state soccer player.

25 CHAIRPERSON ROIJAS: That doesn't hurt at

1 all.

2 DR. YOUNG: I don't know whether that makes  
3 sense or not.

4 CHAIRPERSON ROIJAS: We talked about  
5 lobbying. Very effective.

6 DR. YOUNG: I understand the soccer  
7 mentality pretty well. I come out of a town where  
8 soccer's just as big, or, maybe, bigger, where we get,  
9 actually, thousands of people attend soccer matches,  
10 clear down starting with little Pee Weeies. So I  
11 understand the soccer pretty well and how I can draw on  
12 all the kids.

13 MR. ACRE: Thank you.

14 CHAIRPERSON ROIJAS: Any other questions?

15 (No response)

16 CHAIRPERSON ROIJAS: If not, thank you very,  
17 very much.

18 DR. YOUNG: Thank you.

19 CHAIRPERSON ROIJAS: And we hope that you we  
20 may call you if we have further questions.

21 DR. YOUNG: Okay.

22 CHAIRPERSON ROIJAS: Thank you.

23 \* \* \* \* \*

24  
25 CHAIRPERSON ROIJAS: Our next presenter is

1 Linda -- is Linda Trujillo.

2 MS. TRUJILLO: My apologies for not having  
3 the superintendent here. He had to go elsewhere for a  
4 meeting. I just want --

5 CHAIRPERSON ROIJAS: For the record, please  
6 state your name --

7 MS. TRUJILLO: Okay.

8 CHAIRPERSON ROIJAS: -- address, and  
9 occupation.

10 MS. TRUJILLO: All right. My name is Linda  
11 Trujillo. Post Office Box 332, Garden City. And I'm  
12 the Director of Supplemental Programs of U. S. D. 457.  
13 That includes Title I, migrant education, bilingual ESL  
14 services, and immigrant education.

15 CHAIRPERSON ROIJAS: Okay. Do you have a  
16 statement on the issue of race relations in western  
17 Kansas with reference to your job or community  
18 activities?

19 MS. TRUJILLO: A prepared statement? No,  
20 ma'am, I do not.

21 CHAIRPERSON ROIJAS: Okay. Do you have any  
22 opinion on race relations?  
23  
24  
25

1 LINDA TRUJILLO

2 DIRECTOR, SUPPLEMENTAL PROGRAMS,  
3 U. S. D. 457,  
4 GARDEN CITY, KANSAS  
5

6  
7 As far as Garden City is concerned, I think  
8 we have a situation that we've had a very rapidly  
9 growing ethnic group, so I think we get a long very  
10 well.

11 We've been the topic of lots of attention  
12 from the media. We've had the Ford Foundation people in  
13 Garden City over the last couple of years. This past  
14 fall I had a call from, and we had a visit from, people  
15 from Time Magazine out of Chicago. We've had a number  
16 of other media contact us and ask us questions about why  
17 our kids get along so well.

18 We do have problems in Garden City. I won't  
19 say we don't. But I think, on the whole, we have a  
20 pretty good situation where people kind of get along  
21 together as best they can.

22 MR. JENKINS: We submitted a letter to the  
23 superintendent in our invitational letter and we  
24 requested certain information be provided to us. Are  
25 you prepared to share that information with us?

26 MS. TRUJILLO: Yes.

27 MR. JENKINS: Okay.

28 MS. TRUJILLO: You have asked information on

1 ethnicity and gender for staff and students and I have a  
2 written copy that I'll give to you after I go through  
3 this.

4 MR. JENKINS: Uh huh.

5 MS. TRUJILLO: As far as our school district  
6 is concerned, we're a very rapidly growing school  
7 district. This past fall our student population was  
8 just under 7,400 students and this past fall, also, we  
9 hit a percentage of 51% of our students were in an  
10 ethnic group other than -- I'll use the term white,  
11 because that's what everybody -- everybody has used.

12 In fact, I called the State Department, Kim  
13 Cracker, who's our state bilingual director and I said  
14 now that our ethnic students outnumber our non-ethnic  
15 students or our white population, it's kind of silly to  
16 call our -- to call a minority a minority, what do we  
17 call them, and she said, well, they're still, although  
18 they may be the majority in Garden City, they're still  
19 the minority across the country, so we call them now a  
20 significant majority because we now number 51% of our  
21 student population and I think that's fairly  
22 representative of Garden City, although our student  
23 population's, probably, a little higher than our regular  
24 population of the community.

25 Those 7,400 students are served by 541

1 certified personnel and 483 classified personnel. Our  
2 personnel within the district, certified, include  
3 teachers and administrators.

4 Our teachers and administrators, of those  
5 541 personnel, we have 37 Hispanic teachers or  
6 administrators, 7 southeast Asian, which are Vietnamese  
7 and Chinese -- we don't have any Laotian teachers at the  
8 current time or administrators -- 2 African-American, 2  
9 Native American, and 293 that we would classify as  
10 white. We have 131 teachers and administrators who are  
11 male and 410 who are female.

12 Within our classified personnel, and that  
13 includes cooks, bus drivers, custodians, and around 150  
14 para-professionals in the school district, of those  
15 classified personnel, 133 are Hispanic, 10 southeast  
16 Asian -- and those do include Laotian, Vietnamese, and I  
17 think we have a Thai, a couple of Chinese, as well -- 2  
18 African-American, 9 Native American, and 329 classified  
19 as white. We have 90 classified personnel who are male  
20 and the other 393 who are female.

21 When we look at our student population at  
22 the elementary level, it's almost a 50-50 split, not  
23 quite, as far as gender is concerned. At the elementary  
24 level 52.8% of our students are male, 47.2% female.

25 When they go on to the secondary level, and



1 that's Grade 6 through 12, 50.2% are male. So we lose a  
2 few males between the elementary and the middle -- and  
3 the high school or secondary school. And 49.8% female.

4 Our ethnicity of our students, 49.8% of our  
5 elementary students are Hispanics. 4.1% of our  
6 elementary students are southeast Asian. Those are  
7 primarily Vietnamese and Laotian, although we have a few  
8 Cambodians, a few Koreans, and a few other Pacific  
9 Island students. 1.7% African-American or black  
10 students in Garden City and that's very, very low, but  
11 it always has been. .5% of our elementary students are  
12 Native American and 43.9% of our elementary students are  
13 classified or classify themselves as white or caucasian  
14 students.

15 At the secondary level -- and again, that's  
16 grades 6 through 12 -- 37.3% of our students are  
17 Hispanic, 4.9% of our students are southeast Asian, and  
18 we have a number of students who come to us as secondary  
19 students in the southeast Asian population that don't go  
20 to elementary school, but they show up as older students  
21 because of the family re-unification process or programs  
22 that the federal government has. Again, the same  
23 amount, 1.7% African-American or black students. .4%  
24 Native American students and 55.7% of the students are  
25 classified or classify themselves as caucasian and

1 white.

2 I have a stack of information on budget that  
3 I'll just share with you that our Budget -- Financial  
4 Officer, I asked her for a profile and a budget. This  
5 is the profile. So I'll just share that with you and,  
6 if you have questions, attempt to answer them.

7 When I first came to Garden City about 20  
8 years ago, the population in the school district was  
9 about, oh, somewhere in the neighborhood of 14, 15%  
10 Hispanic and the black population or African-American  
11 population was very, very low, still around 1 to 2%, as  
12 was the Native American population. The southeast Asian  
13 population, basically, didn't exist.

14 We had a fledgling bilingual program in  
15 process or in the process at the time that served  
16 Hispanic students who had low reading and math scores.

17 At that time, most of our Hispanic students  
18 were able to proficiently perform in English orally, but  
19 not in reading and writing. So our bilingual program  
20 that was beginning was geared to those students.

21 Over the last 20 years we've seen a  
22 tremendous change in our students. This year we have  
23 right at 1,000 students who are limited English  
24 proficient and those students are not only limited in  
25 their ability to read and write in English, but very

1 limited in their ability to speak English at all.

2 I can't tell you how many because our  
3 numbers change on a daily basis. We had 964 students at  
4 the beginning of the school year. It's over -- right at  
5 1,000 right now. Maybe, 1,002, 1010.

6 We're anticipating somewhere in the  
7 neighborhood of 1,100 to 1,150 students who are limited  
8 English proficient and take part in our bilingual  
9 program before the school year is over.

10 Two years ago, we had around 450 to 500  
11 students. Last year we ran around 800 to 850 students  
12 and, of course, we grow during the year. So we've  
13 gained over 100 students just from last spring to this  
14 fall and we're anticipating that growth again throughout  
15 the school year.

16 If you look at our enrollment, we enroll  
17 students every day in Garden City, America and, usually,  
18 it's anywhere from half a dozen to a dozen students and  
19 they may all show up at the same school or they may be  
20 scattered from K-12. It just depends on where the  
21 housing is available throughout the school district.

22 But we never -- We are not a transit -- We  
23 are a transitory -- We're not a very stable population.  
24 We don't stay put. You can turn -- blink your eyes  
25 twice and things change in Garden City, which is great,

1 because we'll never be stagnant, that's for sure, and  
2 we'll never have a dull, boring job, because things  
3 change all the time.

4 As our population -- as our limited English  
5 proficient student population -- has changed, we've  
6 changed our program, hopefully, to match the needs of  
7 the student.

8 As I said, at first, we were more of a  
9 remedial kinds of reading ad writing program and over  
10 the course of the years we've become much more expanded  
11 because our student needs have become much more  
12 expanded.

13 I know at one point at the secondary level  
14 the students that we received, primarily, from Mexico  
15 had a very good -- a pretty good education in Mexico.  
16 They knew their content, social studies, science, math,  
17 and so forth. So it was a fairly easy process of  
18 teaching those kids to speak English.

19 That process has become much more  
20 complicated as our students who now come to us, many of  
21 them from El Salvador or other parts of Central and  
22 South America, which are not so prone to education, and  
23 we have a number of students now who come to us who are  
24 illiterate in their first language and that makes our  
25 teaching process much more difficult at the secondary

1 level.

2 We have right now approximately 120 students  
3 at the senior level, that's grades 9 through, 12, who  
4 are limited English and 180 at the middle school, that's  
5 grades 6, 7, and 8, who are limited English, and I would  
6 say a good 30% of those students are illiterate in their  
7 first language, so that the teachers' jobs those levels  
8 are very, very difficult.

9 It's a little easier at the elementary,  
10 because most of our kids are illiterate at the  
11 elementary level. Of course, as you go u to the fourth  
12 and fifth grade, it becomes a little more difficult.

13 What we've done to accommodate the needs of  
14 our students as they've changed, we've changed the  
15 flavor of the picture of our program. We have a lot  
16 more English as the second language instruction now. We  
17 have several schools, elementary schools at Eda Charmin,  
18 Victor Onellis, Garfield, where we really stress English  
19 as a second language.

20 At two of our elementary buildings last year  
21 we started a different kind of program and more first  
22 language geared program, Altaman, Buffalo, Jones, to  
23 accommodate the needs of the students there. The  
24 students in those two buildings are, primarily, Hispanic  
25 and, of course, their first language is Spanish.

1                   So what we've started doing in those two  
2 buildings is teaching them content in their first  
3 language. We teach social studies, science, and math in  
4 Spanish, but, at the same time, we teach English as a  
5 second language every day to those students and we  
6 infuse English as much as possible in the other content  
7 areas.

8                   What we do not do is switch back and forth  
9 between languages when we're teaching science, social  
10 studies, and math, because we've found that is not only  
11 confusing to the students, but it drives the teachers  
12 crazy, too. It's very difficult to do.

13                   Now, if something pops up and the teacher's  
14 studying clouds, for example, she or he might use a lot  
15 of terms in English to describe that particular aspect  
16 of the lesson, but the lesson itself is taught in  
17 Spanish.

18                   We have been able through a great effort to  
19 find teachers who can speak in -- who can teach in the  
20 first language. In fact, we have a program that I'm  
21 very pleased to have been a part of since it's  
22 beginning.

23                   About six years ago we started a program  
24 called grow your own, because we couldn't find teachers  
25 in Garden City, America. I mean a lot of people,

1 believe me, from the Valley in Texas don't want to come  
2 up here because of the snow. They don't want to move  
3 here from other parts of the country and stay very long,  
4 because we're kind of isolated, you know, out here.

5 So we started a program called your own and  
6 we've put about 12 -- we have about 12 students in that  
7 process right now. We've placed three teachers, but,  
8 like I said, that only started, the very beginnings, six  
9 years ago and the actual first year of the program was  
10 five years ago. So we now have several teachers in our  
11 district who are homegrown and many of them -- several  
12 of them who were limited English when they came to us  
13 and now teachers in the district and they are fluent in  
14 English.

15 We also have a process whereby teachers or  
16 staff members in the district, particularly, para-  
17 professionals, if they'd like to become teachers, we  
18 assist them with college tuition to that they can go to  
19 school locally and then become teachers in the district  
20 when they graduate and we have a couple of those on  
21 board.

22 We do that not only for bilingual teachers,  
23 but, also, for special ed, who are just as difficult to  
24 find. Our next big push is to find grow some special ed  
25 bilingual teachers or bilingual special ed teachers,

1 however you want to say it, and that's going to be a  
2 major undertaking, but the need is definitely there for  
3 students who are not only limited English, but have  
4 special ed needs.

5 We're really pleased with our Spanish check.  
6 We think it's working. We just looked at very small  
7 test scores, the small sampling we have from last year  
8 to this year, and we've seen really fantastic gains on  
9 SABE, which is the test -- it's like CTB, some of the  
10 standardized tests in Spanish that we've given to our  
11 fourth graders and we've seen really good gains from  
12 last year to this year. Of course, that's just last  
13 year to this year and a small group of students, but  
14 we're pleased with it.

15 At the secondary level, our emphasis is on  
16 English as a second language and we also do sheltered  
17 English, which is, really, just good teaching, but where  
18 you teach the content of science, math, social science  
19 in the -- in English, but use a lot of hands-on  
20 manipulatives, pictures, and that sort of thing, which  
21 gets your point across, even though the students may not  
22 understand the whole language -- the language being  
23 presented or all of the language presented in the  
24 classroom.

25 We also use a lot of para-professionals to



1 reinforce what the teacher is saying in the classroom.

2 We are pleased to have as many southeast  
3 Asian teachers as we do have, which is very, very  
4 limited -- very, very limited -- but, at least, that's a  
5 smattering here and there and three of those are  
6 homegrown, people who have gone through our system and  
7 with assisted tuition reimbursement so that they can  
8 graduate and come back and work with us.

9 And we're very pleased that most of our  
10 grown your own people have stuck with us. They're very  
11 loyal, once they have gone through the system and stay  
12 and come back with us.

13 We have a number of language groups in  
14 Garden City. At one point, like I said, our bilingual  
15 program was very simple -- fairly simple in that we were  
16 dealing with mostly Spanish language, but now we are  
17 dealing with several different languages.

18 At one point, and I can't name them all,  
19 about five years ago we have 17 different languages  
20 and/or dialects spoken in our school system and that is  
21 about 15 more than we can comfortably handle. We're  
22 down now to about seven or eight. Spanish, Vietnamese,  
23 Laotian being the big ones.

24 But our Spanish population is changing, too.  
25 At one point, there were mostly Hispanics from Texas and

1 from Mexico in Garden City. Now we're looking at  
2 families from Guatemala, from Nicaragua, a lot of  
3 families from El Salvador, a few families from South  
4 America, as well as from all over within Mexico being  
5 all over within the United States.

6 At one point last spring when we did pre-  
7 enrollment, we had students from, I think, 11 different  
8 countries and 43 different states enrolled in Garden  
9 City, which is quite a mixture.

10 And I know our teachers are sometimes  
11 frustrated, even the ones who speak Spanish, because  
12 they'll walk up to a student, whose last name -- we have  
13 one family whose last name is just typical Hispanic --  
14 but the family does not speak Spanish. They are from  
15 Guatemala and they speak a -- an indian dialect and they  
16 just kind of look at you like, yeah, right, when you  
17 speak to them in Spanish. They simply don't understand.

18 We were lucky that we found a lady here. I  
19 mean you'd be surprised what you go -- when you start  
20 digging, because you need help, a lady who was able to  
21 speak, I think it's Kavahal -- Kavahal. It sounds like  
22 a German. It's really gutteral, the language is, but I  
23 mean it's nice family, but we were able to find a lady  
24 who was from that geographic area and had moved here  
25 years and years ago and she refreshed and was able to

1 help us with some translations, but that was quite shock  
2 when it hit the teachers.

3 I'd be happy to answer questions. I have  
4 some information and the budget information.

5 **CHAIRPERSON ROIJAS:** Are there any  
6 questions?

7 **MS. TRUJILLO:** What I can't answer, these  
8 two folks can, I'm sure. Heather and Floretta. So I...  
9 Yes, sir?

10 **MR. NULTON:** With the indulgence of my  
11 fellow committee members, I have a series of questions,  
12 prompted in large part by some other presenters and the  
13 information that they have shared with us and I  
14 appreciate that certain things that may be raised to us  
15 may be factual, some of them may be perceptions, but, if  
16 in the minds of the presenter, why they're equally  
17 important. So I want to go through a rather mixed bag  
18 here and get your comment on them.

19 First of all, we've been provided statistics  
20 that would certainly indicate that the scoring results  
21 on the ACT test, which it's been made known to us is a  
22 voluntary thing, this is not forced on anybody to take,  
23 so this would be people that, obviously, in their own  
24 minds feel they have a need for it, that the mean  
25 scoring certainly reflects that the minorities,

1 particularly, Hispanics, come out way below Anglos and  
2 other ethnic groups. Your comment?

3 MS. TRUJILLO: I think that's true. And  
4 we'll be very honest with you, and I think our  
5 superintendent would agree, we think for the last 20  
6 years we've done a wonderful job of teaching our kids to  
7 speak English, but we haven't done a wonderful job of  
8 teaching them anything else and that's one reason we  
9 switched a couple of years ago and with our Spanish  
10 language track, our Spanish language instructional  
11 programs in a couple of the elementary school.

12 It takes, and we know it takes, seven to ten  
13 years for someone to really learn to speak a second  
14 language. For some kids or some people, longer than  
15 that. I would challenge any of you, if they dropped any  
16 of you or me, either, in the middle of Russia and said,  
17 here, learn, we'd do so because we need to eat, we'd  
18 need to eat, but we'd have a hard time going to the  
19 university and passing a physics exam and that's,  
20 basically, what we've done to a lot of our kids.

21 We've taught them to speak English, but we  
22 have not given them the background that they need in  
23 science and social studies and math and so, when the  
24 kids get to the middle school and high school level,  
25 their English fluency is very, very good. In fact, it's

1 just there. It's very good. Most of the kids speak  
2 without much of an accent whatsoever.

3 But what they know as far as background  
4 knowledge is not there, because they were so busy  
5 learning to speak English that they didn't learn the  
6 things that they needed to know in social studies, they  
7 didn't learn how to read very well because they were too  
8 busy learning words. They didn't learn how to read very  
9 well because they were too busy learning words. They  
10 didn't learn their math very well because they couldn't  
11 understand what the teacher was saying and when the  
12 content -- when the instruction -- when the basis is not  
13 there for learning, you can't add to what you -- if you  
14 don't have anything to add to on the bottom and that's  
15 what we finally -- the realization hit us that we  
16 weren't adding -- we're not adding to.

17 The kids who are right now at the elementary  
18 level, if those students arrive at high school and don't  
19 do better on ACT, I don't know what we'll do because  
20 we're doing what we think now really will help those  
21 kids. They're getting their core material, the content,  
22 in the first language and we think that'll show up, but  
23 it's not going to show up for several years.

24 We have kids right now who just are  
25 blossoming at the elementary level, third and fourth

1 graders. Now not so much first and second, because  
2 that's a different story. But third and fourth graders  
3 who just didn't understand what was going on last year  
4 in the classroom, because, even though they spoke  
5 English a little bit, they couldn't understand the  
6 content and instructional language is different than  
7 playground language and different from street language  
8 and different from going to the grocery store and then  
9 translating for mom and dad, but we have kids who  
10 finally you can just see the little light bulb come on,  
11 okay, now I get that.

12           And kids have actually taught themselves.  
13 We don't formally teach reaching in any of the buildings  
14 right now in Spanish. We teach reaching in English.  
15 But we don't teach formally Spanish reading as yet, but  
16 we have kids who've picked up how to read in Spanish  
17 simply because it's just something clicks and they find,  
18 oh, I get that.

19           So, no, we have not done a good job as far  
20 as basic information, as far as basic content, with our  
21 students and that shows up on ACT scores.

22           It shows up on drop outs, because the kids  
23 can't handle what's going on in the classroom and they  
24 don't want to look stupid and so they just leave, and I  
25 think, if you look at the drop out rate, you'll under --

1 I mean it's very significant. It's apparent and it's  
2 the boys, Hispanic males, that we fail the worst.

3 MR. NULTON: Okay. That brings up a second  
4 expressed concern. Specifically, back in 1991-92, I  
5 gather that there was a strategic planning committee  
6 which came up with certain goals and I'm quoting from  
7 Objective No. 5: We will reduce the cumulative drop out  
8 rate to 10% without measurable disparity among ethnic  
9 populations.

10 Would you tell us how and to what degree  
11 that objective was met?

12 MS. TRUJILLO: Well, we had a change in  
13 personnel. I don't -- I can't tell you to what degree  
14 that was met. I don't think -- I'm sure we didn't make  
15 it and I know we've made some attempts and there've been  
16 some changes at the high school level. We've expanded  
17 our EXCEL program as one attempt that we've made to look  
18 to -- you know, to work towards the drop out situation,  
19 but, as far as other major initiatives, I really  
20 couldn't tell you.

21 MR. NULTON: I'm going to address for a  
22 moment -- and this is a question that really originates  
23 from this committee member -- if a student drops out,  
24 typically, are they leaving the area?

25 MS. TRUJILLO: No.

1 MR. NULTON: They're remaining?

2 MS. TRUJILLO: Many -- Most of the students  
3 remain in the area and go to work. We have -- Iowa  
4 Beef Processors and Monfort hires a lot of people. They  
5 have a tremendous turnover rate and so a large number of  
6 our students go to work there once they drop out.

7 Now I'm sure we have people leaving, you  
8 know, leaving the area, but I can't tell you what the  
9 percentages are, the numbers are.

10 MR. NULTON: But you would feel that the  
11 preponderance would be they would stay?

12 MS. TRUJILLO: Yes, sir.

13 MR. NULTON: Now back to another expressed  
14 concern, that there is a disparity in the gifted  
15 education -- among the gifted education students of the  
16 district, which is, clearly, more of the Anglos and less  
17 of the -- of the Hispanics. Is that a --

18 MS. TRUJILLO: I would agree with that. One  
19 of the areas that we have a -- or I have a personal  
20 concern in, and I think there's concern among others. I  
21 know there is among building administrators. In fact,  
22 we have a meeting next Wednesday, I think -- Wednesday  
23 or Thursdays, one of those days -- just over that very  
24 thing.

25 It's not just in the gifted. Within the



1 special ed program, period, there are very few personnel  
2 within special ed who speak a language other than  
3 English and so, if a child is identified as needing any  
4 kind of special ed services, those services are not  
5 provided in the language the child may need. They are  
6 provided in English, period.

7 If additional services are available, it  
8 would be through a para-professional.

9 I know one of the things we've been  
10 discussing rather heatedly recently are services for  
11 speech, for example. If you have a speech problem in  
12 English, there are certain articulation signs. You go  
13 through a test, an oral repetition test, and those  
14 articulation problems come to the surface because you  
15 repeat certain words.

16 Well, you may have an articulation problem  
17 in Spanish and the vocabulary of words that are used to  
18 identify articulation problems in English don't work for  
19 the -- for the articulation problems that you have in  
20 Spanish, but we don't have an instrument to identify  
21 articulation problems for students whose first language  
22 is Spanish, although we know the kids have problems  
23 because we can't understand their speech and we know  
24 that there's some problems there with articulation, but  
25 we don't have an instrument to identify those particular

1 articulation problems and, even if we did have and we  
2 identified problems, we don't have personnel to work  
3 with the students.

4 So that's one of the very areas, as far as I  
5 can see, that we have real problems with in Garden City  
6 at the present time. We have students with situations,  
7 needs that aren't being met by our Special Ed  
8 Department.

9 MR. NULTON: Okay. And, lastly, what  
10 procedures, policies, do you have in place to avoid that  
11 there be disparate discipline for the same offense as  
12 between a minority and a non-minority student?

13 MS. TRUJILLO: I can't speak for what  
14 happens at the school site or day-to-day discipline  
15 situations, because I'm not there. I do sit on long-  
16 term suspension hearings. Unfortunately, we're all  
17 drafted to do that on an occasional basis because we  
18 have to have so many administrators present on those.

19 On the long-term suspension hearings in  
20 which I've been a part, there haven't been disparities.  
21 Short-term suspension hearings and day-to-day discipline  
22 at the building level, I can't tell you, because I,  
23 really, am not a part of that.

24 MR. NULTON: Okay.

25 MS. TRUJILLO: But we follow to the letter

1 of board procedure on the long-term suspension  
2 situations. I mean, if a student brings a weapon to  
3 school, that stupid student is suspended, period,  
4 regardless of what he or she may look like or anything  
5 else, but, as for short-term, I can't tell you.

6 MR. NULTON: Thank you.

7 CHAIRPERSON ROIJAS: Any questions; other  
8 questions?

9 MR. HERNANDEZ: One quick question. Garden  
10 City, I guess, back in the '70s, mid-70s, was one of the  
11 first school districts that went into bilingual by force  
12 education.

13 MS. TRUJILLO: Uh huh. 1974.

14 MR. HERNANDEZ: -- and, since that time, I  
15 think because of the different -- in addition to the  
16 Hispanics, there've been other monolingual groups coming  
17 in.

18 MS. TRUJILLO: Uh huh.

19 MR. HERNANDEZ: What percentage of your  
20 instruction in the school district is bilingual by force  
21 education and/or is it moving toward English as a second  
22 language emersion kind of a -- What's the --

23 MS. TRUJILLO: Well, emersion is a dirty  
24 word. I don't like that at all. We try to avoid  
25 emersion, period.

1                   We have right now -- We started out more  
2 bilingual and I use that word in quotes, because it  
3 means different things to different people and it does  
4 in different buildings in Garden City.

5                   Then we moved towards wholesale ESL, simply  
6 because we were clumping -- I mean we were putting  
7 everybody in classrooms, and I said at one point we had  
8 17 different language groups represented and in a single  
9 classroom a teacher might have four to five different  
10 languages represented by the students.

11                   Well, we can't have four to five different  
12 para-professionals helping the teacher and we have no  
13 teacher who is so gifted that he or she speaks all the  
14 languages of the students in the classroom.

15                   Now I do have a couple of teachers who speak  
16 Vietnamese and are learning to speak Spanish or who  
17 speak Spanish and who are learning to speak Vietnamese.  
18 We have that situation, but we don't have anybody so  
19 gifted that he or she speaks several.

20                   So we started clumping the language groups  
21 together just so that we could keep sanity in the  
22 classroom. At that point, we moved back towards more  
23 ESL -- a more bilingual instruction and I think within  
24 the last two years we've, really, moved more, at least,  
25 in two buildings, two of our five designated elementary

1 buildings where we work with limited English proficient  
2 students where we teach in the first language of the  
3 students and that is Spanish.

4 If, by some miracle, we have enough teachers  
5 some day to teach in Vietnamese content, we need that,  
6 but we don't have that luxury at the present time.

7 So we're back towards -- We're moving  
8 towards teaching a first language and ESL, rather than  
9 an either/or situation and we've worked really hard -- I  
10 know our office has -- to try to get people to see that  
11 ESL is a part of bilingual instruction. It is not a  
12 separate entity. It's like bilingual is this big  
13 umbrella and ESL is a part of that, but it's not a  
14 separate entity from bilingual instruction.

15 We have people who still, unfortunately,  
16 still do believe that you either do ESL or you do  
17 bilingual. No, ESL is a part of bilingual and bilingual  
18 instruction has to be part of your ESL because you can't  
19 teach content if you don't have somebody explaining to  
20 the kids what's going on.

21 MR. HERNANDEZ: Do you have a ball park  
22 percentage in terms of bilingual and ESL at the --

23 MS. TRUJILLO: About 40-60 right now.

24 MR. HALLORAN: 40-60?

25 MS. TRUJILLO: 40 bilingual instruction and

1 60 ESL, and that would be mainly because our middle  
2 school and high school is just ESL.

3 MR. HERNANDEZ: Okay.

4 MS. TRUJILLO: Just ESL.

5 CHAIRPERSON ROIJAS: Any other questions?

6 (No response)

7 CHAIRPERSON ROIJAS: We thank you very much  
8 for your presentation.

9 MS. TRUJILLO: If you have questions, we'd  
10 be happy to call the superintendent.

11 CHAIRPERSON ROIJAS: Thank you very much.

12 \* \* \* \* \*

13 CHAIRPERSON ROIJAS: Are there any -- Do  
14 you have anyone who has signed in at this time?

15 MR. HERNANDEZ: No one's signed up for an  
16 open statement, Madam Chair.

17 CHAIRPERSON ROIJAS: Okay. With that, them,  
18 we will --

19 MR. NULTON: May I make one statement to  
20 that?

21 CHAIRPERSON ROIJAS: Statement?

22 MR. NULTON: Yes.

23 CHAIRPERSON ROIJAS: By all means.

24 MR. NULTON: Thank you.

25 And I realize that the thrust of our get-

1 together was not, particularly, employment and,  
2 nevertheless, a number of the things that we have been  
3 considering seem to have an origin in the source of  
4 employees that have come to the areas that we have under  
5 examination here and, for that reason, it would seem to  
6 me that, before we conclude this phase of the  
7 Committee's operations, that we definitely should obtain  
8 input from representatives of the meat packing employer  
9 community. This is just one committee member thing, but  
10 that is my feeling.

11 Secondly, I would certainly like us to try  
12 again to get input from the representatives of the City  
13 of Liberal. I'd like to, at least, give them another  
14 opportunity --and they've certainly been provided  
15 abundant opportunities to now -- but one more pass at  
16 seeing if they will want to respond to, at least,  
17 present their side of the story.

18 And, lastly, and I raised this informally  
19 off the record, as it's deemed appropriate, I think that  
20 we should ascertain or make an effort to ascertain the  
21 reasons for the unavailability of certain people who had  
22 indicated that they would be appearing as scheduled.

23 These, again, or these last two things, are  
24 just this committee member's observations and I don't  
25 know whether we need to -- a vote, Ms. Chairman, or --

1 CHAIRPERSON ROIJAS: I think that -- What  
2 is the feeling? Dr. Suh?

3 DR. SUH: Yeah.

4 CHAIRPERSON ROIJAS: I think the consensus  
5 is that we would like to have that information.

6 MR. HERNANDEZ: Okay. I think that we will  
7 do that. I will send a -- the questionnaire to the --  
8 some of the officials with the beef packing plants and  
9 send them a part of the transcript so they can respond  
10 to it or the transcript.

11 CHAIRPERSON ROIJAS: Okay.

12 MR. JENKINS: That we would do as a matter  
13 of course, because the transcript or the record will  
14 remain open until January 14th.

15 CHAIRPERSON ROIJAS: Okay.

16 MR. JENKINS: And, again, as far as Liberal  
17 is concerned, we will send a third letter to the city,  
18 requesting information.

19 CHAIRPERSON ROIJAS: Any other comments?  
20 Observations? If not, we will conclude --

21 MR. ACRE: We will --

22 CHAIRPERSON ROIJAS: Excuse me, Francis.

23 MR. ACRE: We will all be receiving the  
24 officials transcript, everyone that's on the panel?

25 CHAIRPERSON ROIJAS: Okay. We will



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officially conclude this public hearing at 5:49, the  
14th of December, Thursday evening. Thank you very much  
panel members and thank you for your assistance.

(Whereupon, the hearing in the above-  
entitled matter was closed.)

C E R T I F I C A T E

I, DAVID L. ARIGE, do hereby certify that I appeared at the time and place first hereinbefore set forth; that I took down by means of cassette recording the entire proceedings had at said time and place; and that the foregoing pages 151 through 463 constitute a true, correct and complete transcript of my said cassette recordings.

  
\_\_\_\_\_  
REPORTER