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U.S. COMMISSION ON CIVIL RIGHTS

IOWA ADVISORY COMMITTEE
TO THE U.S. COMMISSION
ON CIVIL RIGHTS

"Race Relations and Des Moines'
New Immigrants"

Commencing on April 21, 1999, at the
United Way of Central Iowa, Room F,
1111 Ninth Street, Des Moines, Iowa

VOLUME I

Reported by: Sheila M. Cassady, C.S.R.

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CASSADY COURT REPORTING
2808 Briarwood Place
Des Moines, Iowa 50321
(515) 243-5154

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1 DR. SOMMERVILLE: The meeting of the Iowa
2 Advisory Committee to the U.S. Commission on Civil
3 Rights shall come to order.

4 For the benefit of those in our audience,
5 I shall introduce myself and my colleagues. My
6 name is Dr. Lenola Allen-Sommerville, and I am
7 chairperson of the Advisory Committee. Members of
8 the Committee will introduce themselves, and I
9 will, in turn, say their names.

10 MS. STASCH: I'm Marcia Stasch from Mason
11 City, Iowa.

12 DR. SOMMERVILLE: Marcia Stasch.

13 MS. MURPHY: Marilyn Murphy from Sioux
14 City, Iowa.

15 DR. SOMMERVILLE: Marilyn Murphy.

16 MS. FRIAUF: Ann Friauf from Cedar
17 Rapids, Iowa.

18 DR. SOMMERVILLE: Ann Friauf.

19 MR. COULTER: Joe Coulter from Iowa City,
20 Iowa.

21 DR. SOMMERVILLE: Joe Coulter.

22 MS. WEITZ: Gail Weitz from Dubuque,
23 Iowa.

24 DR. SOMMERVILLE: Gail Weitz.

25 I would like to introduce the staff from

1 the Commission's Regional Office in Kansas City.

2 Melvin L. Jenkins, Regional Director;
3 Ascension Hernandez, Civil Rights Analyst; and Jo
4 Ann Daniels, Administrative Assistant.

5 The U.S. Commission on Civil Rights is an
6 independent bipartisan agency first established by
7 Congress in 1957 and reestablished in 1983. It is
8 directed to:

9 Investigate complaints alleging that
10 citizens are being deprived of their right to vote
11 by reason of their race, color, religion, sex,
12 age, disability, or national origin, or by reason
13 of fraudulent practices; study and collect
14 information relating to discrimination or denial
15 of equal protection of the laws under the
16 Constitution because of race, color, religion,
17 sex, age, disability, or national origin, or in
18 the administration of justice; appraise federal
19 laws and policies with respect to discrimination
20 or denial of equal protection of the laws because
21 of race, color, religion, sex, age, disability, or
22 national origin, or in the administration of
23 justice; serve as a national clearinghouse for
24 information in respect to discrimination or denial
25 of equal protection of the laws because of race,

1 color, religion, sex, age, disability, or national
2 origin; submit reports, findings, and
3 recommendations to the President and Congress.

4 The Commission has 51 advisory
5 committees, one for each state and the District of
6 Columbia. Each is composed of citizens familiar
7 with local and state Civil Rights issues. The
8 members serve without compensation and assist the
9 Commission with its fact-finding, investigation,
10 and information dissemination functions.

11 The Iowa Advisory Committee to the U.S.
12 Commission on Civil Rights is here to conduct a
13 community forum and to receive information on the
14 status of race relations of Des Moines' new
15 immigrants as they adapt to life in Iowa.

16 In addition to reviewing how the new
17 immigrants get along with the established
18 population, the Committee wants to know what
19 economic and cultural benefits the newcomers bring
20 to Des Moines. Also, the Committee wants to know
21 if the immigrants are receiving equal protection
22 under Civil Rights laws.

23 At the outset, I want to remind everyone
24 present of the ground rules. This is a public
25 meeting, open to the media and the general

1 public. But we have a very full schedule of
2 persons who will be providing information within
3 the limited time we have available. The time
4 allotted for each presentation must be strictly
5 adhered to. This will include a presentation by
6 each participant, followed by questions from
7 Committee members.

8 To accommodate persons who have not been
9 invited but want to make a statement, we have
10 scheduled an open session this afternoon shortly
11 after the last invited speaker. Anyone wishing to
12 make a statement during that period should contact
13 Ascension Hernandez for scheduling.

14 Written statements may be submitted to
15 Committee members or staff here today, or by mail
16 to the U.S. Commission on Civil Rights, 400 State
17 Avenue, Suite 908, Kansas City, Kansas 66101.

18 Though most of the statements made today
19 may be related to immigration and race relations,
20 we want to ensure that all invited participants
21 and any that sign up for the open session do not
22 defame or degrade any person or organization.

23 In order to ensure that all aspects of
24 the issues are represented, knowledgeable persons
25 with a wide variety of experience and viewpoints

1 have been invited to share information with us.
2 Any person or any organization that feels defamed
3 or degraded by statements made in these
4 proceedings should contact our staff during the
5 meeting so that we can provide a chance for public
6 response.

7 Alternately, such persons or
8 organizations can file written statements for
9 inclusion in the proceedings. I urge all persons
10 making presentations to be judicious in their
11 statements.

12 The Advisory Committee appreciates the
13 willingness of all participants to share their
14 views and experiences with the Committee.

15 I introduce another Committee member who
16 has arrived. Your name?

17 MR. VAN LO: Dihn Van Lo.

18 DR. SOMMERVILLE: Dihn Van Lo.

19 At this time, the Director of the Central
20 Regional Office to the U.S. Commission on Civil
21 Rights, Melvin Jenkins, will now share some
22 additional opening remarks with you.

23 MR. JENKINS: Good morning to the members
24 of the Advisory Committee. I am very happy to be
25 with you this morning to listen and to learn about

1 new immigrants in the state of Iowa.

2 As I think about the State Advisory
3 Committees, not only here in Iowa, but throughout
4 the country, you have an awesome responsibility to
5 act as eyes and ears for civil rights matters in
6 your state. There is no other group like this in
7 this country. To listen and to make
8 recommendations, to carry forth and mandate.

9 It was first established in 1957 -- the
10 U.S. Commission on Civil Rights. The awesome
11 responsibility that you have is that you are
12 fact-finders. You listen to persons and determine
13 the facts. You put those facts on the table as
14 information that can be utilized by decision
15 makers, not only here in the state of Iowa, but in
16 Congress and by the President.

17 When I view you, I look at you again in
18 awe because of the commitment that you have made
19 to undertake and listen concerning new immigrants,
20 to come out with recommendations that would better
21 the lives of persons in the state of Iowa, I
22 commend you and I applaud your efforts.

23 And as you listen today, be very
24 attentive to some of the recommendations that will
25 be made by some of the presenters. For those

1 could formulate matters of public policy, not only
2 for state government, but when we look at the
3 growing population of immigrants throughout the
4 country.

5 And I note with a lot of respect in the
6 states of Alabama, Mississippi, Arkansas, those
7 traditional southern states, that you equate with
8 African-Americans. You see a whole new immigrant
9 population emerging.

10 This is why we want to conduct this fact-
11 finding meeting today; not only to listen to some
12 of their concerns, but also to find out what's the
13 responsibility of state government, what's the
14 responsibility of local entities, and City
15 government, to provide for protection of civil
16 rights of the new immigrants.

17 I wish you luck in your undertaking
18 today, and I will listen as we go forth with this
19 important subject. Thank you.

20 DR. SOMMERVILLE: Thank you, Director
21 Jenkins. We will proceed to our presented
22 agenda.

23 Is Rose Vasquez present?

24 MS. VASQUEZ: Yes.

25 DR. SOMMERVILLE: For the record, would

1 you approach the podium. State your name, address
2 and occupation, and proceed with your
3 presentation.

4 MS. VASQUEZ: Yes. Thank you. My name
5 is Rose Vasquez, and I am the director of the Iowa
6 Department of Human Rights, which is located in
7 the Lucas State Office Building at 321 East 12th
8 Street, Des Moines, Iowa 50319.

9 DR. SOMMERVILLE: Proceed.

10 MS. VASQUEZ: I don't have an extensive
11 handout to circulate to you. In my position as
12 Director of Iowa Human Rights, I'm a recent
13 appointment there, and I am becoming familiar with
14 the department.

15 In the meantime, I have discovered we are
16 lacking in some of the materials that I would have
17 loved to have had to present to you. But I did
18 manage to put together -- to take one of our old
19 brochures and update it so that you actually have
20 current phone numbers and names on here, and a
21 current address.

22 And as we improve upon that and update,
23 then we would be more than happy to make it
24 available to all of you. You can take one and
25 move it along.

1 I want to thank you for inviting me here,
2 and I understand that there is a focus to the
3 presentation today, that being immigrants. As you
4 review the brochure, and I can share with you that
5 as an agency, a State agency, our department
6 doesn't have any real direct work with
7 immigrants.

8 Nevertheless, I think like all State
9 agencies, there's every opportunity to deal with
10 issues that may impact upon immigration and
11 immigrants.

12 And as Mr. Hernandez and I were talking,
13 it was apparent that some of the research I had
14 done on interpreting in the judicial system might
15 be relevant to your -- to your forum today, and
16 certainly it will -- it does impact upon
17 immigrants and the immigration issue. If only
18 because when -- because in most instances when you
19 are talking about immigrants, you're talking about
20 language barrier issues.

21 And so that would be the nature of my
22 presentation, the language barrier issue. And to
23 the extent that the State agency -- the Department
24 of Human Rights deals with it, we have a Division
25 of Latino Affairs, and obviously that is very

1 narrow, but as they push for language barrier
2 concerns or issues in the court system, that will
3 obviously --

4 DR. SOMMERVILLE: We will proceed, noting
5 for the record that the lights have just gone
6 out.

7 MS. VASQUEZ: Anyway, as we meet the
8 challenges of language barriers in the court
9 system, that will have large ramifications for all
10 populations, and we're trying to work with other
11 groups to deal with those.

12 I can acquaint you right now with what
13 Iowa law requires, and the Iowa law was passed --

14 DR. SOMMERVILLE: For the record, the
15 lights have just returned.

16 MS. VASQUEZ: In 1970, an Iowa law was
17 passed that provided non-English speaking parties
18 and witnesses to legal proceedings would be
19 entitled to the assistance of an interpreter.
20 This can be found in Iowa Code Section 622(a).
21 It's labeled "Interpreters and Legal
22 Proceedings."

23 Since 1970, the Iowa law that
24 interpreters would be used, it states that every
25 person who cannot speak or understand the English

1 language, who is a party to any legal proceeding
2 or witness therein, shall be entitled to an
3 interpreter to assist such a person throughout the
4 proceeding.

5 It identifies costs, and an interpreter
6 shall be appointed without expense to the person
7 requiring assistance in the following cases. And
8 that would include a civil legal proceeding, and
9 if the person is indigent and financially unable
10 to secure an interpreter in a civil case, every
11 court shall tax the cost of the interpreter, as
12 they do in other court cases, which means possibly
13 to the prevailing party, if not to the party
14 bringing the action.

15 In criminal cases where the defendant is
16 indigent, the interpreter shall be considered as a
17 defendant's witness for the purposes of receiving
18 fees. In that instance, the court would have a
19 schedule or structure set up for that.

20 The person who is providing interpretive
21 services would be required to take an oath, and
22 they are -- the Court can inquire as to their
23 qualifications.

24 This left it a little wide open as to
25 what the qualifications of the interpreter would

1 be, and quite frankly, because of the availability
2 issues, you could end up with people who their
3 only qualifications might be that they just know
4 another language.

5 The Iowa Legislature, in 1984, amended
6 the law, and now you have a code section that
7 states that, "The Supreme Court, after
8 consultation with the Commission of Latino Affairs
9 of the Department of Human Rights and other
10 appropriate departments, shall adopt rules
11 governing the qualifications and compensation of
12 interpreters appearing in proceedings before a
13 court or grand jury under this Chapter."

14 And they added a code section which
15 required tape recordings of the proceedings. So
16 in a sense, there was movement towards elevating
17 the bar, if you will, so that we had some kind of
18 minimum qualifications being met.

19 The status of the law right now, there
20 have been a lot of complaints received that the
21 law is not being implemented, that there are no
22 rules on qualifications, and that no one has moved
23 forward with any kind of a certification process
24 or any kind of a standard to be able to determine
25 whether an interpreter does or doesn't meet the

1 qualifications that they should.

2 Let's see. I want to speak now about
3 some of the problems that arise when you don't
4 have that certification process in place. You
5 obviously deal, then, with quality issues. You
6 don't have perhaps people being compensated in a
7 uniform way, and the consequences, you may have
8 some one who is willing to do the service for
9 free, but their credibilities are questionable.

10 At the same time, you may have a person
11 who goes into a private business of providing
12 interpreting services, that they make a lot of
13 money because their services are very much in
14 demand. But, again, there's no real measure of
15 what their abilities are.

16 Another question that really comes into
17 play is the ethics. As little as you would give
18 thought as to where ethics come into play, once
19 you read or hear some of the anecdotes, it is
20 amazing.

21 If you don't have a standardization, a
22 certification process, and a person comes in to do
23 interpreting, and you don't hold them to any kind
24 of a standard, and they don't know what the
25 boundaries are, you don't know if that person is

1 going to maybe skew the proceedings somehow with
2 their services.

3 Maybe because they feel somewhat
4 defensive of a person they're interpreting for,
5 they inject information into the proceeding that
6 really shouldn't be there. They may try to expand
7 on what the person is saying.

8 And again, this raises a lot of different
9 concerns for the courts because the only way they
10 can function adequately is to have facts -- just
11 the facts -- and base their decision on what is
12 not hearsay testimony.

13 Then, of course, interpreters will point
14 out to you the inefficient use of interpreter
15 services. Where they're located determines
16 whether they're going to be readily available or
17 not.

18 The courts may have interpreters come in
19 for proceedings where the interpreter ends up
20 sitting around and their time is not used very
21 wisely and they get very resentful of that. And
22 all of it impacts upon, again, the quality of
23 services that you get.

24 There's probably little ways to deal with
25 the court calendar and calendaring and scheduling

1 and so forth, but if there was some way to
2 maximize the use of the limited interpreter
3 services we have, that would be helpful.

4 Throughout this presentation I want to
5 give you some examples of what has been
6 encountered by individuals in the court system.
7 And one of the ones that I found somewhat
8 interesting at this point was -- and this has to
9 do with -- not with ethics so much, but with the
10 quality issue.

11 You have an individual who is not only
12 not English, and you have an individual who is
13 bilingual, but maybe has difficulty with the
14 English language and they may be difficult to
15 understand as well, but they're the only
16 interpreter that's available at the time.

17 Say you're looking at a situation where
18 you're dealing with an immediate intake, an
19 arrest, some kind of setting where information is
20 being taken down right away about a person who is
21 going to be subjected to the judicial system, and
22 a name is requested.

23 And you can take this example and not
24 limit it to Hispanics. We can talk about any of
25 the Asian, Bosnians, and just go down the line.

1 I'm sure a lot of you have seen an array of
2 surnames where you're just at a loss as to how to
3 pronounce them. And you're looking for vowels or
4 consonants that should be there, because that's
5 what your mind is telling you.

6 So this person is asked his or her name,
7 and the name is volunteered. And let's say the
8 police officer has -- it's not registering -- the
9 name makes no sense, but they're hearing the
10 sounds. The interpreter provides a name to the
11 police officer, and again, it's still somewhat
12 muddled, but the police officer writes the name
13 down.

14 And the point is, by the time it's
15 written down, it may look nothing like the
16 original name. And the interpreter may not know
17 what this person's original name really is. The
18 person may not be in a position to write it.

19 The point is, once it's taken down, it's
20 in an official document at that point and it's
21 probably going to go into a computerized system.
22 And what we found to have happened is that the
23 person has essentially developed an alias now,
24 unwittingly. They've offered their true name, but
25 the name's adjusted just a little bit.

1 And I think we may all have stories in
2 our roots, our heritage about that. I know with
3 my own name, my family can discuss how it's been
4 adjusted. In the first registering with either
5 the Army or U.S. Customs or whatever, and letters
6 have been changed, and no one raises it at that
7 point.

8 So it goes into the system and now they
9 have an alias. So now they come up, and if their
10 true name comes up anywhere down the road, this
11 person is so and so, also known as so-so, and if
12 there's another layer, also known as so and so.

13 And if any of you -- I'm sure you
14 recognize if the judge finds out you haven't --
15 they won't say this name, but maybe this name, it
16 goes down as an alias and immediately a judgment
17 is made about that person possibly having a
18 criminal history. And it's really all because of
19 language barrier issues.

20 The presentence reports: A person comes
21 in and they find that the presentence reports on
22 Hispanics -- and that was the targeted population
23 in the study that I was looking at, but you can
24 extrapolate this, are very superficial.

25 The problem is the clerk trying to take

1 down, or the officer trying to take down
2 information, struggles with the language barrier
3 problem. Now, you have a choice: Do I proceed
4 with completing this report? Or do I go and get
5 an interpreter here? Do I pay for an
6 interpreter?

7 The presentence reports then are very
8 minimal in the information they provide. And the
9 consequence of that is you may have a person who
10 doesn't have a language barrier problem, that has
11 an extensive report that shows community and
12 family ties, and the judge is making a decision of
13 release on bail on that report.

14 I do have an anecdote on that one. It
15 was an Iowa case. And there was a former police
16 officer who served as an interpreter in several
17 instances. There were three people arrested. One
18 of the parties had a language barrier problem; the
19 other two did not.

20 So they have to do background checks and
21 you get so many points, and this would lead to
22 whether you were going to bond out or not. If you
23 got 15, you posted up to 7 supervision, and above
24 7, a signature bond.

25 And the judge can go along with the

1 recommendation based on the points, but doesn't
2 have to. And these three young defendants went
3 before the judge, and the two were able to
4 understand the nature of the charges. They had
5 enough points so they were able to bond out on
6 their own signature.

7 The third one didn't speak English, so
8 the law enforcement officer had to interpret. And
9 the judge advised him that recommendation was to
10 make this person post bond. Now, they didn't have
11 to stay in jail, but they had to post bond. Well,
12 this interpreter took it upon himself to start
13 looking for information, whether he was allowed to
14 or not, and started going through files.

15 And he saw that this particular language
16 barrier defendant had been in the area over two
17 years, had been working the entire time, was
18 common-law married to a woman, had a small child,
19 had relatives in the area; he averaged seven
20 points. And the recommendation -- bold letters on
21 the form -- was "POST BOND!" This was in caps
22 with an exclamation mark.

23 There was also a question on the form
24 that asked if there was anyone that would indicate
25 that the defendant would not show up in court if

1 released. And the answer was, "Does not speak
2 English." That was the reason given for why he
3 thought this person might not show up in court.

4 You struggle to make the connection, but
5 I honestly think that the person in their best
6 intentions really felt that that was probably the
7 reason -- That was the reason.

8 DR. SOMMERVILLE: Ms. Vasquez, maximum of
9 20 minutes.

10 MS. VASQUEZ: Okay. And you have
11 questions; right? So --

12 DR. SOMMERVILLE: Three minutes.

13 MS. VASQUEZ: Okay. The person who
14 serves to interpret faces the issue of showing up
15 with the person who may have been detained, but
16 maybe that person is badly bruised, injured. What
17 is the obligation of the interpreter? They
18 suspect there may have been brutality. Is it just
19 to appear there and speak on behalf of the person
20 needing a defense, or do they go to the
21 authorities? What's their obligation?

22 A person who is asked -- given rights,
23 should they be in writing in their own language,
24 verbally in their own language? There was a case
25 in Des Moines -- It was called the Devang case.

1 And I had a chance to visit with the judge about
2 all of the issues, because I think there were
3 language barriers for seven defendants.

4 He said it looked like a small UN
5 proceeding with all the hook up. And I believe
6 one of defendants in the case was told, "You're
7 under arrest. You have the right to remain
8 silent," and then it came out -- and it should be,
9 "You have the right to an attorney," but in the
10 translation, it came out, "You have the right to
11 an engineer."

12 So play out this question: If you are
13 read that right and you don't exercise that right
14 because you don't want an engineer, did you waive
15 the right? The fortunate part of that was
16 somebody had the foresight to tape the Miranda
17 warning so they were able to catch that.

18 If a person raises the issue of not
19 having adequate interpretation services or a
20 qualified interpreter, do they have a right to
21 post an appeal on a case where they could
22 negotiate their sentence, or they were convicted.

23 And that's it in a nutshell. I think
24 I've probably raised more questions than answers,
25 and I think that was the point of it. I'll be

1 happy to try to address any questions you might
2 have. These are some of the things immigrants, I
3 think, are facing in the judicial system.

4 DR. SOMMERVILLE: Prior to Committee
5 people asking questions, you mentioned research at
6 the beginning. Would it be possible that the
7 central office could have a copy of your research?

8 MS. VASQUEZ: Well, I thought about
9 that. I've never formalized this into an actual
10 paper, and what I can do, a part of it is just
11 based on an interview of judges and people. Some
12 of it is -- What I can do is the Iowa Supreme
13 Court conducted a task force. It was completed
14 several years ago. And the testimony I got out of
15 that document is really what shows up in most of
16 this. So I'll get either excerpts or the report
17 to --

18 DR. SOMMERVILLE: -- to Mr. Hernandez.

19 MS. VASQUEZ: Okay. I'll get that to
20 you. And then I had the privilege of being there
21 at public hearings, so I heard just really
22 hands-on stories, and no way to validate them.
23 But I have some documents I can forward.

24 DR. SOMMERVILLE: Thank you.

25 Any questions from Committee members?

1 MS. WEITZ: How difficult would it be to
2 establish an agency of certified interpreters, and
3 who would do the certification? How complicated
4 is this whole process?

5 MS. VASQUEZ: The only state that comes
6 to mind, and I haven't look into this in a while,
7 is -- I want to say New Jersey, and that actually
8 has a state certification process.

9 The federal courts have their
10 certification for federal courts. In fact, you
11 have to be certified in federal courts. Those
12 are peppered throughout the country.

13 You know, there was a big movement.
14 That's why I put this together, because the
15 University of Northern Iowa was going to work with
16 the Division of Latino Affairs in maybe coming up
17 with State certification.

18 I don't know why it got lost in the
19 process. I think -- I guess money and resources.
20 I don't think it's that difficult, and you know,
21 what, maybe with the new immigrant population and
22 the judges and the courts saying, "You know what,
23 enough is enough. Someone get certification in
24 place." We might be able to find the money. I
25 think it's just the money right now.

1 DR. SOMMERVILLE: Mr. Van Lo?

2 MR. VAN LO: Yes. Thank you very much
3 for -- You have raised a lot of issues that is
4 very good subject, because we have been dealing
5 with policy of 31 years ago. You also mentioned
6 the language, the problem of --

7 And as you know, language is not only a
8 different vocabulary that has been accepted and so
9 on, language is a vision of life, a different
10 culture to understand. But how is a new appointee
11 for the Human Right Affairs, with the English-only
12 legislation going on right now, with the Asian
13 tradition not there, how do you intend to satisfy
14 the court system, the other different agencies
15 about this concerning data, policy research,
16 technical assistance? How do you plan to do all
17 of those wonderful things?

18 MS. VASQUEZ: By the nature of your
19 question, I think you've answered it. It's going
20 to be difficult. We -- The last I looked, and
21 this is woefully inadequate, but worked with the
22 Legislature to get some language into the --
23 possibly in the Iowa acts that would allow for the
24 Asian Pacific Island or Commission -- well, it
25 won't exist.

1 We are going to offer a study. Now, I'm
2 looking for dollars to come with that. I wrote
3 some language, is what I'm saying, to kind of get
4 the foot in the door. So this would be a
5 possibility. There are no dollars with that. And
6 that's the next hurdle.

7 With the one commission that we do have
8 that deals with the language issues, this is --
9 that's going to be woefully inadequate too. I
10 have a good relationship with the courts, but
11 really, all you're finding me doing there is going
12 before them and explaining these things. "You
13 can't tolerate this anymore."

14 I think education -- I believe the
15 Department of Human Rights hasn't been up to speed
16 in past years in making aware and accumulating
17 data and research. I -- I'm disappointed that I
18 can't bring statistics to you, hard numbers.

19 And I think we're going to be able,
20 especially in this computer age, to hopefully get
21 that on Web pages. I know people don't have
22 access to Web pages, but educated people who are
23 in a position to do something can get on our Web
24 pages and can find out what the problems are.
25 It's a building-block process.

1 I appreciate your question. I'm happy to
2 hear any suggestions you have.

3 DR. SOMMERVILLE: Thank you very much.

4 Did you have a question?

5 Is Wayne Johnson in the room?

6 MR. JOHNSON: Yes, ma'am.

7 DR. SOMMERVILLE: Would you go to the
8 podium, please.

9 Mr. Johnson, for the record, would you
10 state your name, address, and occupation.

11 MR. JOHNSON: My name is Wayne Johnson.
12 Do you want my business address or my home
13 address? Business, 1200 University Avenue, Suite D,
14 as in Delta, Des Moines, 50310.

15 And I am the Bureau Chief of the Bureau
16 of Refugee Services. And this is a bureau within
17 the Iowa Department of Human Services.

18 DR. SOMMERVILLE: You may proceed with
19 your presentation.

20 MR. JOHNSON: You're going to have to
21 excuse me. I have a little bit of a sinus
22 problem.

23 Thank you for inviting me to appear
24 before you today and give this testimony. I would
25 like to say that in preparation for this

1 testimony, I have drawn upon interviews with
2 members of the protected classes.

3 These interviews have taken place in a
4 number of different venues, and the information I
5 would like to present is the information that I
6 have heard from these individuals.

7 I was asked to give some background on
8 the Bureau of Refugee Services. A refugee is
9 defined in federal code as someone who is unable
10 or unwilling to avail themselves of the protection
11 of their own government because of reasonable fear
12 of persecution. This is the key phrase --
13 reasonable fear of persecution.

14 And this reasonable fear of persecution
15 has to be based on one of five things: Race,
16 religion, ethnicity, political belief, or
17 membership in a certain strata of society.
18 Individuals who come to the U.S. with refugee
19 status are given the status outside the United
20 States by an interview and a determination by U.S.
21 Immigration and Naturalization Service Officer.

22 The Bureau is contracted to the U.S.
23 Department of State to resettle, assign refugee
24 families from overseas refugee camps into Iowa.
25 The Bureau is charged with providing basic human

1 needs within the first ninety days after arriving
2 only for those refugees that the Bureau
3 resettles.

4 The other agencies in Iowa that are
5 active in refugee resettlement and who have the
6 same initial 90-day responsibility are Lutheran
7 Social Services, and their program is across the
8 state; the Diocese of Dubuque, Des Moines, and
9 Davenport in the Catholic charity system; and the
10 Jewish Family Services, the Des Moines office.

11 The Bureau also receives funds from U.S.
12 Department of Health and Human Services to provide
13 services to all legally admitted refugees in Iowa
14 who are beyond this initial 90-day resettlement
15 period, but within the five-year service limit.

16 The Bureau reimburses the state of Iowa
17 for costs of some type of welfare assistance
18 issued to refugees by the State, and also provides
19 services, either directly or through contractors
20 to refugees across the state.

21 Because federal mandates dictate that
22 these services be primarily focused on removing
23 barriers to and finding employment for refugees
24 who have been in the U.S. for five years or less,
25 the Bureau's mission reflects this directive.

1 The Bureau staff consists of 27 people;
2 20 of whom are multi or bilingual, representing
3 all the major refugee groups in the state. In
4 addition, the Bureau contracts with services with
5 approximately 14 other individuals -- 13 of whom
6 are bilingual in refugee languages.

7 Arrivals of new refugees to the state
8 from overseas refugee camps have averaged about
9 1,420 people over the last -- each of the last
10 three years. During that same period, several
11 thousand additional refugees moved into Iowa from
12 other states.

13 The current refugee population of the
14 state, including those secondary migrants from
15 other states, is estimated at about 23,000 people;
16 some of whom came to Iowa during the first year of
17 the program in 1975. I need to emphasize this is
18 an estimate. People move in and out at will.
19 There are babies born to refugee families to
20 increase the population. There are deaths within
21 the refugee population. And some refugees become
22 citizens.

23 Even though technically it is not correct
24 to term one group of these refugee as Indo
25 Chinese, I have used this term. And the reason

1 it's not technically correct is because this term,
2 Indo Chinese, has connotations to the colonial
3 past of these countries -- Laos, Vietnam,
4 Cambodia -- but it's used here in my testimony
5 because it is descriptively the most appropriate
6 term available. It's the least cumbersome, but it
7 is not a correct term to use, in general.

8 The Indo Chinese, whom as I said are
9 comprised of Laos, Vietnamese, Black Thai, Hmong,
10 and Cambodians, form the largest segment of the
11 population -- refugee population, numbering about
12 14,000 people. But many of them have become U.S.
13 citizens, and they're technically no longer
14 refugees.

15 Bosnians, who first began to arrive in
16 the state in 1993, total about 7,000 people. And
17 refugees from Africa, primarily Sudanese and
18 Somalie, the Middle East, and Russia, total an
19 additional 2,000 people.

20 Refugees are generally clustered in the
21 following communities: Des Moines, which is a
22 cross-section of all of the nationalities;
23 Waterloo, which is almost exclusively Bosnian; and
24 Sioux City, which is primarily Indo Chinese. And
25 Davenport; Indo Chinese and Bosnian. Cedar

1 Rapids, cross-section of all the nationalities.
2 And Storm Lake, which is predominantly Indo
3 Chinese.

4 I would like to now talk about some of
5 the concerns expressed by some of these
6 representatives from these communities. Sudanese
7 concerns: Discussions with the Sudanese community
8 representatives have elicited the following
9 concerns.

10 Some believe that employers are hesitant
11 to hire them. One person believed that those
12 employers that do hire them only do so because of
13 the current labor shortage. One believes that
14 they are sometimes laid off prior to the point
15 where they are eligible for raises or permanent
16 status.

17 Some feel the welfare system is not
18 sympathetic if they voluntarily quit a job because
19 of perceived discrimination by an employer. One
20 believes that Caucasians are given preference in
21 job upgrades with certain companies even if there
22 is a bidding process to determine who can move up
23 in job responsibilities and move up in a better
24 pay grade.

25 Some feel that access to housing is not

1 adequate. One individual believes that he has
2 been targeted by a state trooper in the Des Moines
3 area as he commutes back and forth to work because
4 he has been given two tickets by the same
5 trooper. And he believes he was not breaking any
6 laws either time.

7 Several say the Des Moines police are
8 losing the trust of the community because of the
9 manner in which the police have treated the
10 Sudanese people. Several perceive different
11 treatment at the hands of Des Moines police. One
12 individual says Sudanese fear retribution from the
13 police if they question police actions.

14 Some mention concern about lack of
15 interpreters at medical provides and certain state
16 agencies.

17 Bosnian concerns: Interviews over the
18 last several weeks with a number of Bosnian
19 Muslims -- and primarily the Bosnian community are
20 Muslims in Des Moines. Interviews with these
21 folks over the last several weeks reveal no sense
22 that they are treated differently because of their
23 religion, and I have no comments from those that I
24 have discussed this with.

25 Indo Chinese concerns: And I would like

1 to add a comment here. Even though the cultures
2 of the Indo Chinese generally frown upon direct
3 criticism of authority figures and generally
4 accept unpleasantness as one's karma or one's
5 place in life because of how the previous life has
6 been lived.

7 Some representatives of the community did
8 have comments. It was related that when Indo
9 Chinese and Caucasians are involved in traffic
10 accidents, Caucasians are perceived to be less
11 likely to receive a citation from the police and
12 the Indo Chinese is more likely to receive a
13 citation regardless of where the fault lies for
14 the accident.

15 It is felt that some medical providers do
16 not take the same care in diagnosing problems
17 among the Indo Chinese elderly as they do among
18 Caucasian elderly.

19 It was commented that some employers
20 assign more work to Indo Chinese employees than to
21 non-Indo Chinese, because the Indo Chinese will
22 not complain and will perform the extra duties.

23 It was said that police did not
24 understand the customs and traditions of the Indo
25 Chinese, and subsequently, unnecessarily cite them

1 for actions that may not be against the law or for
2 which they would not cite a Caucasian.

3 One incident that happened recently has
4 greatly concerned the Indo Chinese community.
5 This concerns a police raid at an Asian restaurant
6 wherein it is alleged that masked police with
7 drawn weapons frightened staff and patrons by
8 bursting in without any explanations and
9 handcuffing people in the establishment.

10 Many in the community believe that this
11 was an overreaction, was done in an inappropriate
12 manner, and demonstrates police disdain for and
13 willingness to think the worse of minorities.

14 Conclusion: The Bureau will be happy to
15 assist any agency or organization that wishes to
16 discuss any of the above issues with groups within
17 the refugee community. Recent conversations with
18 the Des Moines Police Department regarding some of
19 the above-mentioned issues have been productive
20 and appropriate.

21 The Bureau will be pleased to serve as a
22 conduit for facilitating meetings between
23 interested members of refugee communities and the
24 Des Moines Police Department.

25 And that ends my testimony.

1 DR. SOMMERVILLE: Thank you. Any
2 questions?

3 MS. STASCH: You indicated that Indo
4 Chinese was offensive.

5 MR. JOHNSON: I don't believe it's
6 offensive. It's not -- just not correct. It's
7 not correct.

8 MS. STASCH: If it's not correct, why do
9 you use it? Why do you not speak to the people
10 and ask them what is the correct terminology.
11 Because I would, in dealing with race relations,
12 that would be something that I think would help
13 improve. But why don't you find something else?

14 MR. JOHNSON: Well, the only other manner
15 of addressing this group would be to enumerate
16 each and every one of them. So instead of saying
17 Indo Chinese, I would have to say Laos, the Black
18 Thai, the Hmong, the Cambodians, the Vietnamese,
19 communities, and I can certainly do that. It's
20 time-consuming. I chose Indo Chinese simply
21 because of the timesaving aspects of it.

22 MS. STASCH: Well, I would think that if
23 you're -- You're lumping them all in one area.
24 Does that mean that they all have the same
25 problems, and they all have the same beliefs?

1 MR. JOHNSON: Yes.

2 MS. STASCH: They all have the same
3 things?

4 MR. JOHNSON: No.

5 MS. STASCH: Rather than identifying them
6 individually? Excuse me.

7 MR. JOHNSON: They all have the same
8 problems generically, but they do not have -- If
9 you're talking about religious beliefs, they don't
10 have the same religious beliefs. They're all from
11 the same part of the world.

12 They all have, throughout hundreds and
13 hundreds of years of history, interacted,
14 intermarried, moved between the various
15 geographical areas. Indo Chinese is a term that
16 is not known to them in their own languages unless
17 they are educated and perhaps older.

18 The Hmong call themselves the Hmong. The
19 Black Thai calls themselves the Thai Dom. The
20 Laos call themselves Laos. Vietnamese call
21 themselves Vietnamese. So they all have
22 designations for themselves. Now, we call
23 Cambodians, Cambodians. The Cambodians call
24 themselves Khymer.

25 MS. STASCH: I can see that it's a

1 problem, but I would think it would be
2 grammatically correct to call them what they are.

3 MR. JOHNSON: Yeah, you're correct.
4 You're absolutely correct.

5 MS. SOMMERVILLE: What would you see as a
6 basic recommendation for improving the race
7 relations with the refugee population?

8 MR. JOHNSON: Among the community as a
9 whole? Well, I think that as the groups -- the
10 refugee groups, as they have been here, the longer
11 they have been here, the more they move into the
12 mainstream. And the more they move into the
13 mainstream, the more they find themselves in the
14 workplace with mainstream. They are seen and
15 known by more members of the mainstream. So time
16 is going to do some of it.

17 Other things that are already happening
18 that are very, very productive, I think that the
19 farmers markets in the summer are a great way for
20 the general public to see who the refugees are,
21 and for the refugees to interact with members of
22 the mainstream.

23 There are athletic teams, adult athletic
24 teams, that participate in various sports with
25 mainstream folks. That is also very productive.

1 There are several overtures now underway. There
2 is now a project that is getting off the ground to
3 identify both performing artists and other types
4 of artisans within the refugee communities.

5 And the idea is to identify, catalog, and
6 support these artists and artisans, and give them
7 a venue to perform. The Des Moines Playhouse is
8 working on this. The Iowa Arts Council is working
9 on this. This is an excellent idea.

10 And so the more initiatives of this
11 nature that will allow interaction between the
12 various refugee groups and the mainstream, I think
13 can be nothing but beneficial.

14 MR. COULTER: You made a very careful
15 distinction at the beginning of your remarks about
16 what the legal definition of refugee is. I
17 notice -- and of course our hearing or our forum
18 here today is about new immigrants -- Do you have
19 information about the size of the new immigrant
20 population and what fraction of that are defined
21 as refugees?

22 You gave some numbers for refugees, but
23 you mentioned Storm Lake. And of course, I know
24 that in terms of the ethnic population up there
25 is -- there are very many Mexicans and Central,

1 South American individuals. But these are not
2 considered refugees apparently.

3 Are there any -- Do you have information
4 about in comparison to the new immigrants versus
5 refugees. And secondly, why are not the Mexicans,
6 South, Central Hispanic population part of the
7 refugee population?

8 MR. JOHNSON: Very good question. In
9 terms of data, I have to say that I don't. I have
10 seen figures from the U.S. Immigration and
11 Naturalization Service for, I think, about a five-
12 year period ending in -- I want to say 1997 --
13 that show that the number of people coming from
14 overseas with an intended state of residency being
15 Iowa, I see that that number runs perhaps one and
16 a half times larger than the number of refugees
17 coming into the state each year.

18 But I don't have the figures, and of
19 course, there are many, many noncitizens who move
20 into Iowa from other states that aren't refugees.
21 The refugee community is the minority community in
22 Des Moines and Iowa among the noncitizens; that's
23 clear.

24 Now, in answer to your second question,
25 because we're federally funded, we're a State

1 agency, but we're federally funded, the federal
2 government dictates who we serve. Every year the
3 President and Congress, they determine, number
4 one, what areas of the world are of concern to the
5 U.S. vis-a-vis the refugee program. So they set
6 the countries from which refugees will be coming
7 to the U.S.

8 They also set the numbers. This year
9 there will be 78,000 refugees coming into the U.S.
10 That's a maximum. It's not ever achieved. That's
11 the maximum number of refugees that will come to
12 the U.S.

13 For this year, they have designated the
14 countries of concern -- the major countries of
15 concern to be Somalia, Sudan, Bosnia, and the
16 former Soviet Union. Now, there are smaller
17 numbers attached to other countries, but those are
18 the major numbers, and that's 78,000.

19 And because they fund us to provide
20 services, we serve those clients that they
21 designate as a legally admitted refugee.

22 Your third question, why aren't the
23 Guatemalans, El Salvadorans, Mexicans, why are
24 they not refugees? That's up to the
25 administration and Congress to designate who is

1 and who is not going to be considered as a
2 refugee.

3 They're not -- I'm not saying that these
4 populations are not here legally. There are a
5 number of different immigration categories that
6 they can use to enter the U.S. legally. It's just
7 that they don't have the refugee designation.

8 MS. WEITZ: Just a quick question, and I
9 apologize ahead of time if I misunderstood what
10 you said, but I thought I heard you say that
11 you're on behalf of refugees on meeting with the
12 Des Moines Police.

13 MR. JOHNSON: We will do this. We have
14 not arranged anything, no.

15 MS. WEITZ: That's -- I just wanted to
16 ask if you had considered combining with other
17 groups -- and I'm thinking the Des Moines NAACP
18 was also attempting to meet with the Des Moines
19 police officers. Have you thought about that?

20 MR. JOHNSON: We're open to anything.
21 Many times some agencies do not know who they
22 should be contacting in the refugee communities.
23 We have daily interchange with many members of the
24 community.

25 We have an average of 117 refugees a day

1 just visiting our Des Moines office. And so we
2 see these folks on a regular basis. And if there
3 is any entity or anything set up that wants to
4 hear from the refugee community, if they need some
5 guidance or assistance in setting something up, we
6 would be happy to do this.

7 We don't, however, by any means, set
8 ourselves up as a gatekeeper to the refugee
9 community, because we certainly are not that. And
10 we cannot speak for the refugee community either.

11 MR. VAN LO: Thank you very much for
12 being here. I was a refugee 22 years ago, and
13 your people have been very wonderful to my people
14 and myself.

15 My question to you is this: In the
16 interest of the English-only language decision
17 that you passed -- you have passed, if it passed,
18 it seemed to be that the refugee problem is one of
19 the main agencies to help refugee and immigrants.
20 What is the picture you have right now concerning
21 the other immigrants, other refugees that have
22 been here more than five years?

23 How can -- How do you plan to help these
24 people that are not in that category that you are
25 not supposed to be serving?

1 MR. JOHNSON: Well, I understand that
2 bill died yesterday.

3 MR. VAN LO: Oh, it did? Thank you very
4 much. I was worried about my job.

5 MR. JOHNSON: That's what I read in the
6 paper this morning.

7 The second part of your question: What
8 is to be done in terms of services for
9 nonrefugees, that was one part of your question.
10 I -- I'm the first to believe and admit that
11 nonrefugees have many of the same needs and the
12 same problems as refugees.

13 It's just that there is an organization
14 funded and in place to serve the refugees. Many
15 of the nonrefugees -- and I don't want to say
16 most, because I don't know that -- but many come
17 here as a result of an immigration petition. That
18 means they have a U.S. relative who has petitioned
19 to bring them here.

20 Because they have someone who is a U.S.
21 citizen, and to become a U.S. citizen, generally
22 you have to be financially reliable, responsible.
23 The income level is quite high. You have to be
24 able to speak English because obviously you have
25 to be able to pass the citizenship exam.

1 Those noncitizens who come in to join a
2 relative, they have a support person or a support
3 group for the most part; now, not every time.
4 That's clear.

5 For those who come in other ways, another
6 way for individuals to come here is through an
7 employment Visa done through the Department of
8 Labor. And they come because they have had a job
9 offered to them by a company here because they
10 have some specific technical or work expertise.
11 They, in my mind, have some type of a support
12 source.

13 DR. SOMMERVILLE: One minute.

14 MR. JOHNSON: But it's very clear that
15 others will not have. What will I suggest? I
16 guess I haven't given it enough thought to give
17 you a suggestion right now. Obviously, they're
18 stretched across the state. They're not living
19 just in Des Moines.

20 DR. SOMMERVILLE: Thank you,
21 Mr. Johnson.

22 We have a scheduled break. The Committee
23 wants the break.

24 Could we take maybe five minutes? Let's
25 take five minutes, and then we will resume.

1 (Brief recess.)

2 DR. SOMMERVILLE: We will resume, please,
3 if we get our places. We will note the time of
4 10:10, and we will resume our session.

5 Is Diann Wilder-Tomlinson in the room?
6 You may proceed to the podium.

7 And for the record, please state your
8 name, business address, and occupation, and
9 proceed with your presentation.

10 MS. TOMLINSON: Thank you. Good morning,
11 ladies and gentlemen. My name is Diann Wilder-
12 Tomlinson, and my business address is 211 East
13 Maple Street, Second Floor, Des Moines, Iowa, and
14 I am currently the newly-appointed director of the
15 Iowa Civil Rights Commission.

16 The Iowa Civil Rights Commission is a
17 State agency established in 1965 under the Iowa
18 Civil Rights Act. The Iowa Civil Rights Act
19 prohibits discriminatory practices in employment,
20 housing, education, public accommodation, and
21 credit on the basis of race, color, sex, national
22 origin, religion, ancestry, and disability. Age
23 is also covered under employment and credit,
24 familiar status is covered under housing and
25 credit. Marital status is an additional basis

1 under credit. And mental disability is covered in
2 all areas except credit.

3 The mission of the agency is to eliminate
4 discrimination in Iowa. Our goal is to establish
5 quality and justice for all persons within the
6 state of Iowa through civil rights enforcement,
7 advocacy, and education. We strive to meet these
8 goals through a variety of programs, including
9 case processing, public education, fostering the
10 establishment of diversity appreciation groups,
11 and community testing, and sponsoring study
12 circles, and those programs in community.

13 The bottom line is that we will engage in
14 whatever activity will reduce discrimination and
15 enhance the appreciation of diversity in Iowa.

16 The Iowa Civil Rights Commission has a
17 budget of \$2,091,541 for the fiscal year 1998,
18 with funds coming from the Iowa General Fund,
19 contracts, grants from the federal government, and
20 reimbursement of costs.

21 The agency has a staff of 38, and is
22 located in the Des Moines office, but provides
23 services statewide. There are several staff
24 members who are bilingual and who assist persons
25 whose first language is not English.

1 As an enforcement agency, a large portion
2 of our budget is dedicated to case processing.
3 During the fiscal year of 1998, the agency
4 received 2,188 complaints newly filed; we resolved
5 211 complaints. The majority of the complaints
6 are in areas of employment, about 85 percent.

7 The most frequently named reasons for
8 discrimination were disability, 35 percent; sex,
9 33 percent; race, 23 percent; and age, 19
10 percent. In the fiscal year 1998, complaints
11 received a total of \$1,000,963 as a result in
12 settlement and settlement agreements, and that
13 comes out to an average settlement of \$9,089 per
14 case.

15 In the fiscal year 1998, the Iowa Civil
16 Rights staff presented 236 educational workshops
17 and distributed 58,500 pieces of educational
18 material. Since 1996, the agency has assisted 23
19 communities in organizing and establishing
20 diversity appreciation teams, and 13 communities
21 in organizing and establishing study circles.

22 Recognizing testing as a valuable tool,
23 the agency conducts continuing tests, both based
24 on complaints and random -- also known as survey
25 testing -- to assist in determining whether

1 covered entities are following the law.

2 The services of the Iowa Civil Rights
3 Commission are available to anyone who has a
4 situation within our jurisdiction, and all persons
5 have a protection under the law. However, we know
6 there are many barriers for some people in
7 assessing our agency.

8 We have tried to provide solutions for
9 people who may need assistance in filing
10 complaints. We also recognize that persons from
11 other countries may not see an enforcement agency,
12 such as ourself, as a friendly place; rather,
13 mistrusting any involvement with a government
14 agency.

15 We need to continue to work with advocacy
16 groups and other agencies to overcome these
17 attitudes and to urge people to contact our agency
18 when it appears that discrimination may have
19 occurred.

20 The agency has attempted to reach out to
21 non-native Iowans in a variety of ways. We have
22 publications that we have produced in other
23 languages and then distributed them across the
24 state throughout our advocacy groups, government
25 agencies, libraries, and other interested

1 entities.

2 Staff has also participated in programs
3 and conferences that would enhance our knowledge
4 of immigration groups, and at the same time,
5 inform others about our services and how to access
6 those services.

7 Any person in the state of Iowa may have
8 access to our services by calling our 1-800
9 number, and there is a local number for the Des
10 Moines area. The telephone menu provides a
11 Spanish menu option.

12 Most complaints are initiated by the
13 telephone. The caller has a brief interview with
14 one of our intake officers and is then sent a
15 packet of information with complete instructions
16 on filing a complaint.

17 People may also visit the office on a
18 walk-in basis or they may write us for
19 information. The complaints may be returned by
20 mail. They may also be faxed in, and they may be
21 brought in in person. In order for a complaint to
22 be legally filed in our office, we have to receive
23 it, though, in the office -- the original
24 complaint in the office.

25 Persons can also contact City Civil

1 Rights and Human Rights agencies around the state
2 to file complaints directly with those offices.
3 The complaints can then be cross-filed with our
4 agency.

5 Local agencies can also serve as
6 referrals to our agencies in areas that are not
7 covered by their local ordinance.

8 We also have established a Website which
9 also provides filing information, including forms
10 for reporting discrimination. This form is not a
11 substitute for the legally filed complaint within
12 our office, but it serves as another contact for
13 individuals to file these complaints.

14 It's useful too for persons to contact us
15 who do not wish to file a formal complaint, but
16 want to let us know about some action that they
17 believe was discriminatory.

18 Finally, I'd like to say that the Iowa
19 Civil Rights Commission is committed to the
20 enforcement of the Iowa Civil Rights Act and in
21 furthering equal opportunity and nondiscrimination
22 throughout the state of Iowa.

23 DR. SOMMERVILLE: Thank you. Questions?

24 MS. MURPHY: Just one quick question. I
25 don't know if it's appropriate. In years past,

1 one of the chronic problems, I notice that the
2 State agency is faced with as well as local Human
3 Rights agencies, is a backlog because of staff
4 shortages, or what have you.

5 Do you have that? Is that a problem with
6 the state agency in our time? Are cases
7 backlogged, or how many -- What's the time lapse
8 between filing a settlement on average? Is that a
9 fair question to ask?

10 MS. TOMLINSON: That's a fair question.
11 We define backlog or it is currently being defined
12 as cases that are not assigned to an
13 investigator. Currently, there are not a large
14 number of those cases. I think we average about
15 20.

16 However, within the agency, there are a
17 number of cases, and so the processing of a
18 complaint from beginning intake through
19 investigation averages 290 days. And that is one
20 of the things that I'd like to see shortened. I'd
21 like to see our complaint processing time down to
22 six months.

23 I believe that the longer a complaint
24 sits in a state agency, the poorer the justice
25 basically is going to be for the individual

1 involved.

2 MS. FRIAUF: How do you decide when a
3 complaint becomes a formal complaint? You
4 mentioned sometimes you get things into the
5 office, but they aren't always a formal
6 complaint.

7 MS. TOMLINSON: Often people indicate
8 when they want to file a complaint, and they will
9 bring it back to the office. When we have that
10 formal complaint returned to the office with their
11 signature, that's what we consider a formal
12 complaint.

13 MS. FRIAUF: Then it is always a
14 formal --

15 MS. TOMLINSON: Then it's always formal.

16 MR. VAN LO: I have a question about the
17 processing of at least 85 percent of your plan.
18 My question is: The 15 percent that are not
19 processing, called a backlog, what are there?

20 MS. TOMLINSON: I'm sorry. I didn't --

21 MR. VAN LO: You say you have 85 percent
22 of your complaints -- Did you say that? Of your
23 complaints that people complain, you have
24 processed about 85 percent of them?

25 MS. TOMLINSON: 85 percent of the

1 complaints are employment-related.

2 MR. VAN LO: Yes. Do you have 15 percent
3 of not being -- is a backlog?

4 MS. TOMLINSON: We have 15 percent that
5 is --

6 MR. VAN LO: 15. So what -- why are they
7 not finished, or what -- why are they not
8 processed?

9 MS. TOMLINSON: Why are they not
10 assigned?

11 MR. VAN LO: Right.

12 MS. TOMLINSON: It's a matter of
13 staffing. We try to keep our investigators at
14 about 30 complaints that they are investigating at
15 one time. Sometimes those complaints that aren't
16 assigned are pending mediation, and we're waiting
17 for a response from -- whether they want to go
18 through mediation, or whether they want to have a
19 full investigation. So that -- that's
20 generally --

21 MR. VAN LO: That's question I have.
22 Thank you very much for hiring some bilingual
23 people in your Iowa Civil Rights. You can see, I
24 have been here 22 years. How can you make sure
25 those immigrants will have equal services as other

1 citizens?

2 MS. TOMLINSON: If they are calling in,
3 or if they come into the office, and we believe
4 that they need some additional services for
5 interpretation, we will find the persons that will
6 be able to help us in that situation.

7 I did bring only two of each -- some of
8 the literature that we have in different languages
9 for your consideration. Those documents only
10 generally explain what the Iowa Civil Rights Act
11 is and can do.

12 MR. COULTER: We're, of course,
13 interested in the immigrant population. What can
14 you tell us from the experiences of your office of
15 where that issue stands and what trends do you see
16 in the nature of the problems that you deal with
17 that would pertain to the new immigrants?

18 MS. TOMLINSON: In our office, again, as
19 I mentioned in my statement, the perception that
20 we are a government agency and the distrust of
21 government agencies in processing a complaint and
22 getting individuals in -- one, letting them
23 understand or helping them to understand certain
24 things cannot be done to them, that those are
25 discriminatory practices. So education is one

1 area that I think is a problem that needs to be
2 increased. And two, getting those individuals to
3 trust us enough to bring their complaints to us.

4 MR. COULTER: I would expect if 85, or
5 whatever the percentage is that deals with
6 employment discrimination in the employment
7 sector -- of course, many of these people are here
8 as an immigrant because of the employment, and
9 that actually you might be quite busy.

10 MS. TOMLINSON: Yes.

11 MR. COULTER: If the -- If it were
12 perceived and understood what you had to offer to
13 these folks, and that's a real challenge to you.

14 MS. TOMLINSON: We are looking at
15 different grants that are out there also that we
16 could possibly access to help increase the
17 educational process for an immigrant group. So
18 those are all things that we're looking at.

19 One thing that I'd like to point out
20 that -- that's a personal interest to me, when I
21 became director of the Iowa Civil Rights
22 Commission, one of my goals was to increase the
23 education component. I realize we are a case
24 processing agency, but I believe education is the
25 key in order to save the state from

1 discrimination.

2 I'm also looking into a process of where
3 we can become more proactive in the education of
4 the citizens of Iowa in what discriminatory
5 practices are and that would include immigrant
6 groups.

7 MS. STASCH: When you're dealing with
8 education to the refugees or other people with
9 ethnic backgrounds, what do you do with regards to
10 the employer in relation to education in those
11 kinds of things that when they're dealing with
12 population -- minority population?

13 MS. TOMLINSON: Well, several of the
14 workshops and seminars that we have given in the
15 past year have been for employers to understand
16 what discrimination is. Some of those seminars
17 and conferences and workshops have been even
18 required as a part of our mediation agreement,
19 that they attend a workshop on employment
20 discrimination. And so we have that also in
21 place.

22 MS. STASCH: Do you provide any services
23 to them when they don't know what they should be
24 doing when they don't know how to make changes or
25 adjust to a situation? Do you provide them a

1 service?

2 MS. TOMLINSON: We do answer a number of
3 questions over the phone from employers concerning
4 whether they can do certain things or whether they
5 cannot do certain things, whether that would be
6 perceived discriminatory, what types of things
7 they can put in their personnel policy. We do
8 provide that type of consultation on a call-in, as
9 needed basis.

10 DR. SOMMERVILLE: You mentioned a number
11 of things that your agency does for diverse
12 population; things such as having a bilingual
13 staff, assisting officers, and assistance in
14 filing complaints, addressing the mistrust factor
15 regarding state agencies, publications in diverse
16 languages, interpretation services, education, et
17 cetera.

18 What other types of support or assistance
19 would you or the agency need in order to enhance
20 your implementation of your goal, and is there
21 anything that the Committee could do?

22 MS. TOMLINSON: We are currently, as I
23 said, looking for different grants that are out
24 there that emphasize education. And we are
25 willing to apply for whatever grants are out

1 there. We have received grants in the past to do
2 surveys and education. I have a staff that's very
3 capable of providing conferences and seminars, and
4 so funding is probably the chief drawback on
5 providing additional education services.

6 MR. JENKINS: One of the things that our
7 Advisory Committee did with the Iowa Civil Rights
8 Commission, I guess about two years ago, we held a
9 series of -- for lack of a better term --
10 community forums, where we broadcast from a
11 central point and to about 13 or 14 cities around
12 Iowa, just simply trying to get the information
13 out concerning how to file a claim.

14 One of the things I'm looking at -- and
15 April being Fair Housing Month -- what type of
16 complaints have you received from minorities
17 concerning Fair Housing throughout the state?
18 Could you just give me a little bit of
19 information -- I don't know if you have come
20 prepared to talk about that, but being Fair
21 Housing month, that's one of the things that I
22 would key in on also.

23 MS. TOMLINSON: We do receive a number of
24 complaints concerning fair housing. We have a
25 federal contract that's with HUD to process a

1 certain number of complaints. We are currently, I
2 think, for the fiscal year -- for this current
3 fiscal year -- and these figures may or may not be
4 quite accurate -- but we currently are processing
5 73 complaints on fair housing.

6 MR. JENKINS: One of the things that we
7 have noted throughout our history in dealing with
8 state and local agencies, a lot of attention has
9 not been devoted to fair housing. HUD has then
10 moved forward with an initiative.

11 Many communities are trying to get more
12 information out concerning fair housing and how to
13 file the complaint. Is that something that you
14 intend to do as a director, try to get more
15 information out to the groups concerning fair
16 housing, because 70-something complaints don't
17 seem like a whole lot of complaints concerning
18 fair housing, if you ask me.

19 MS. TOMLINSON: Again, we are applying
20 for grants in that area to do some better
21 education. One of the grants that I'm aware of,
22 an accessibility grant, we did an accessibility
23 survey for Fair Housing a couple years ago and --
24 for multi-family housing.

25 And basically have determined that that

1 is an area that needs a lot of attention, that the
2 industry -- construction industry is not complying
3 with the current federal housing law in that
4 area. So again, we're trying to get the funds and
5 the bodies to we can go out and educate what is
6 required to make the multi-family dwelling
7 accessible, and I really think that's also going
8 to generate some additional housing cases.

9 MR. COULTER: One feature -- and this may
10 have to do with the statute under which you're
11 empowered to carry out your activities -- what is
12 the standing one must have in order to bring a
13 complaint? We're looking at new immigrants,
14 people who are in many ways socially,
15 economically, or legally disadvantaged.

16 I think you might have a lot more
17 business were you to have a -- perhaps a more
18 lenient definition of standing in order to bring a
19 complaint. What currently is the standing
20 required to bring a complaint?

21 MS. TOMLINSON: They have to have
22 discrimination -- they have to have been
23 discriminated against or perceived within 180 days
24 of bringing a complaint to our office. There's a
25 longer time for EMC, but for us, it's 180 days

1 they must be under the --

2 MR. COULTER: Do they have to be a U.S.
3 citizen?

4 MS. TOMLINSON: No, they don't have to be
5 a U.S. citizen. They just need to be here
6 legally.

7 DR. SOMMERVILLE: No other questions.
8 Thank you.

9 Is Mary Campos in the room?

10 MS. CAMPOS: Yes.

11 DR. SOMMERVILLE: For the record, Mary
12 Campos, would you state your name, address, and
13 occupation or the area you're representing.

14 MS. CAMPOS: I'm Mary Campos, 203 East
15 16th, Des Moines, Iowa 50316. I'm a retired
16 person, also serving as a Civil Service
17 Commissioner, a community activist, and quite
18 interested in what's happening in our community as
19 a taxpayer. I was born in Oklahoma.

20 I'm a citizen of the United States, and
21 I'm very proud to be an American citizen. I'm
22 very proud of the fact that I'm a bilingual,
23 bicultural, diversified person. I'm also very
24 proud that Mr. Hernandez asked me for some papers,
25 and I'm going to say to him, "I don't have them."

1 DR. SOMMERVILLE: Proceed with your
2 presentation.

3 MS. CAMPOS: I told my daughter this
4 morning, "You know, I have been raised with
5 numbers. I'm sick and tired of numbers. I want
6 action. I want commitment. I want people to
7 realize the world that we're living in today."

8 So I want to thank you very much for
9 inviting me to participate. I hope that you will
10 appreciate my presence. Buenas Diaz. Good
11 morning to all of you.

12 My presentation will be as scheduled on
13 the community and relationships with police. I
14 have lived in Des Moines since 1935. And my early
15 childhood, our parents instilled in us, my
16 brothers and sisters, love and respect for the men
17 in blue. And also for the beloved firemen who
18 protect the surrounding buildings and schools.

19 One of the first incidents that I
20 remember, along with my daughters, in the Hispanic
21 community, is the shooting of the Gomez youth who
22 was 16 or 17 years of age. This happened in the
23 late sixties.

24 What was so unforgettable about this
25 incident that was that his father, Jose Gomez,

1 didn't blame the police amid their sorrow and
2 pain. This family knew that the police officer
3 was doing his job.

4 Des Moines began experiencing a growth in
5 the Latino community about seven to eight years
6 ago, and our chief of police began to ask for
7 input from different minority groups. In the last
8 three years, our Latino community has grown very
9 visibly.

10 I'm employed. I'm employed as a court-
11 appointed interpreter for the State of Iowa along
12 with six other Hispanic-speaking -- not Hispanic-
13 speaking, but they're able to speak Spanish. And
14 we also have Asian translators. We have Sudanese
15 translators. And we now have Bosnian translators.
16 So the court system is making sure that the
17 defendants have equitable and justified
18 representation, because many of our lawyers are
19 not bilingual. So we are working very hard on
20 that.

21 I also want to tell you I was one of the
22 first graduating members of the Community Police
23 Academy organization when the police chief ordered
24 a community college or academy for us. There was
25 an Italian-American, Black-American, and I was a

1 Mexican-American in that graduating class. So we
2 were the people who began to know what goes on in
3 the police department.

4 And I am an advocate for that. I believe
5 as taxpayers, we should do more of getting
6 involved and not be so ready to become indignant
7 and accuse our police officers of trying to do
8 their job. I am also very, very aware of what the
9 police would go through.

10 I have a nephew who just retired from the
11 San Antonio Police Force, and his statement to me
12 was, "Aunt Mary, I've been trying for years to
13 learn Spanish, but apparently I don't have a good
14 teacher, and I hate it when I have to investigate
15 an accident and everybody speaks Spanish but me,
16 and I'm a Mexican."

17 So it's very important that they're able
18 to communicate. I also have a beloved niece who's
19 an adopted member of our family, and she's blond
20 and blue-eyed, and she's a police lady, and a lot
21 of people don't know that. But Julian loves to
22 eat Mexican food as well as everyone else and
23 she's not Mexican.

24 One of the biggest problems that I see is
25 the lack of respect for the law enforcement

1 personnel, and as I've mentioned, us, the
2 community -- the new community come from countries
3 where there's no respect for law and order.

4 First of all, they have come to seek some
5 kind of peace and harmony in this country because
6 the country that they lived in has no law and
7 order, so they believe that even if I go to a
8 policeman, he's not going to listen to me because
9 he's going to be very, very prejudice. He's going
10 to be very discriminatory, and he doesn't care.

11 I think we need to educate our people by
12 the issuance of the Miranda rights. We've been
13 ensured there will not be that mistrust factor,
14 that we can talk about what the narcotic officer
15 does, what a search warrant is, what traffic
16 violations are, what bounty hunters are.

17 I will say to you that all of you read
18 about the highly-publicized bounty hunters, and
19 that this case came about because someone in
20 Clive -- a Hispanic person called me and said,
21 "Please help us, lady. This happened to us."

22 So then I got on the phone, and I called
23 Chief Moulder, Chief Moulder called the Clive
24 police, and the whole thing began to snowball.
25 Then it was brought into the public eyes.

1 It happened to hit at that time because
2 there was an angle involved in the knocking down
3 of her trailer house door, or whatever the
4 incident was. And then we became headline news
5 for The Des Moines Register & Tribune.

6 And everybody knew this was actually
7 going on. And the day that we did the depositions
8 on these people at the county courthouse, one of
9 the bounty hunters says to me, "I see you around
10 here a lot of time." So what?

11 I'm doing a job, you know. And my job is
12 to ensure that the defendant is going to get his
13 justice and his rights given to him and his
14 sentencing, which he will no doubt end up getting
15 a sentence of some kind.

16 There are errors made in the law
17 enforcement; I'm not saying there aren't. But I'm
18 saying we, as community people, need to work with
19 the police, and I do believe that, as has been
20 mentioned here, a lot of bilingual materials are a
21 necessary tool.

22 And I wrote down a list of things that --
23 cases that I've worked on, my majority of cases
24 since the first of the year. I have had 115
25 cases. And my calendar is beginning to fill up

1 for May.

2 When I take the commitment as a court-
3 appointed interpreter, I say to myself, "You will
4 go through this with this gentleman. You will go
5 to his arraignment. You will go to his pretrial.
6 You will go to his conference. You will go to his
7 EFR evaluation. You will go to his PSI for an
8 investigation form. You will go through the
9 Department of Corrections for an oral interview
10 with him. And you will do everything under your
11 power so that I can go home and feel that he had
12 every right that he was entitled to"; that not
13 being able to speak the language was not a
14 factor.

15 And the person that started that was the
16 man in blue. He was arrested, or a lot of cases
17 that become drug cases -- and I hate the drug
18 cases, because we are beginning to get a
19 reputation as being the hottest drug dealers --
20 you know, Hispanics, that's what we're known
21 for -- growing drugs, selling drugs, using the
22 pipeline, using the freeway.

23 And all of us who have been here for many
24 years and tried to be productive citizens, we are
25 all beginning to feel a little blasted by the fact

1 that we are being negated as people who have no
2 value, yet our work ethics are the best.

3 I can say that my father and mother were
4 migrant workers. My father and grandfather were
5 coal mine workers. There are people here today.
6 Why? Because they're sending money home to put
7 bread in the mouths of their children and their
8 wives.

9 I really believe that unless we do
10 something about the backlog that's in the
11 courthouse, in the court system, by helping our
12 public defenders, by helping our county attorneys,
13 and by helping our Immigration Department --

14 I go through a lot of cases where they
15 have been sentenced, and then they're going to be
16 deported, and then they have to sit there and wait
17 for immigration to come and pick them up.

18 You know, and I get these phone calls,
19 and I think I'm one of a few -- of very few of the
20 interpreters that will accept the defendants'
21 phone call. And I can get paid for that phone
22 call, all I have to do is bill for the service.

23 But I feel morally obligated, because a
24 lot of times they're given papers as soon as we're
25 through. And so they now have sheets of paper in

1 a language they don't understand. I don't expect
2 that everything be printed for them, but I expect
3 that I, as an interpreter, will be giving them the
4 information, the encouragement and support that
5 they need until the day they are deported from
6 this country.

7 And you know, if we're locked up and no
8 one in a room can speak English, or no one in a
9 room can speak Spanish, what would you do? You
10 would be a basket case by the time 60, 90, 120
11 days have gone by. I'm trying to work very, very
12 hard on that.

13 I've had some good relationships with the
14 Immigration Department. I continue to hope and
15 pray that things will get better for us, that
16 people will become more cognizant of the things we
17 need to do.

18 And I'm saying people -- we need to do
19 that as human beings and brothers and sisters and
20 a society that is forgetting what we were intended
21 for. We were intended to love our brothers and
22 sisters. We were intended to work side by side
23 and hand in hand to make things better and not go
24 back.

25 Civil rights caused a lot of blood shed.

1 A lot of noble men gave their lives to this
2 country, including our own Martin Luther King,
3 Monsignor Chavez, President Kennedy, and President
4 Kennedy's brother.

5 And I look at myself, and I'm not getting
6 younger every day, and the problem is still
7 there. What's wrong with us? What's wrong with
8 us? You're all members of a very, very, highly-
9 qualified, reputable commission. I am also a
10 Civil Service Commissioner. I've been a Human
11 Rights Commissioner. How many more hats do I have
12 to wear to try to do something?

13 My beloved mentors -- I stopped to see
14 Edna Griffin yesterday. She was having a very
15 good day. And I said to her, "Edna, I'm going
16 down tomorrow and I'm going to be saying a little
17 bit here in front of the Commission." And she
18 said, "Tell them I said hello." You know, and I
19 thought, "Who can forget Edna Griffin?" She's
20 been one of my mentors.

21 And I know Dr. Lenola Allen and some of
22 the members of this Committee know what I'm
23 talking about, because they have been my mentors.
24 They were there to help me, a Mexican-American
25 girl, that needed a lot of help. And I'm very

1 proud of that.

2 And I hope that you will forgive my
3 emotional outburst, but that is me, and I don't
4 have all the numbers that you want, but I need to
5 tell you that we need to keep working night and
6 day because this will never be the society that we
7 need to have. We will never be able to say to our
8 kids, "Don't be afraid of that policeman. He's
9 our friend. You need to call him."

10 Domestic abuse is on the rise. The
11 policemen are calling, the Latinos don't
12 understand. The gentleman says, "I didn't mean to
13 hurt her. I just pushed her." Well, now she's in
14 a different environment. She's in a different
15 culture. She sees that she doesn't need to be
16 treated like somebody's leftover slave -- for lack
17 of an expression -- or someone that has bought me,
18 and I'm in bondage. She's not in bondage. She's
19 a woman. She has rights. She has a family. She
20 needs to be taken care of.

21 Thank you very much.

22 DR. SOMMERVILLE: Thank you. Questions?

23 MS. WEITZ: One that comes to mind: Do
24 you have any ideas as to why there is such a low
25 representation of Mexican-American people? You

1 said there's a solid group of hard-working
2 Mexican-Americans in the Des Moines area, but yet
3 the representation on the police force is --
4 there's only eleven --

5 MS. CAMPOS: Yes.

6 MS. WEITZ: -- Hispanic officers.

7 MS. CAMPOS: I think that it's something
8 that we as parents have failed to do at home. And
9 I think even when I was going around trying to
10 recruit kids to Upperbound and Iowa City and UNI,
11 parents are were very, very negative about their
12 children. They felt it was more important to have
13 someone that would go out and help pay the bills
14 and support that family.

15 I think that's part of it. And I think
16 that we need to tell our school district that they
17 need to bring the firemen in and the policemen in
18 and encourage boys and girls to become motivated
19 to go to higher learning.

20 My daughters have went. I never had the
21 opportunity to go. I'm going to have a
22 granddaughter graduate college. I was the first
23 of eight children to graduate, and I think that's
24 part of it.

25 I don't think there's discrimination. I

1 think we just need to push. We need to push. We
2 need to tell these kids, "You can be whatever you
3 want to be, and here's the way you have to do
4 it."

5 MR. VAN LO: Yes, and thank you very
6 much. We've know each other for a long time. I
7 think we cannot do without you. You look younger
8 every day, and more beautiful every day.

9 My question to you is: As a strong
10 advocate for minority rights and strong, devout
11 minority, how do you see a role as a kid to help
12 the police to fight for our immigrants and
13 minorities?

14 MS. CAMPOS: I think that -- and Chief
15 Moulder and I have talked about that. We need to
16 continue the dialogue, and we need to get back
17 into areas where there are people of different
18 ethnic groups, and bring the police in and let the
19 citizens stand up and ask the questions; get the
20 answers.

21 I get a lot of phones calls and I field
22 those phone calls. And then I tell them, "Call
23 the Chief of Police, call the Office of Procedures
24 and Standards. Call this person. Call that
25 person. Call Human Rights. Call Civil Service

1 Commission. If you feel that you have been
2 discriminated against, you have a legal option."

3 And I think that it's only by bringing
4 those departments into the community, that we can
5 overcome that aloofness that we create or that
6 fear that we continue to let grow, and we can't --
7 we have to stop it from growing. Fear has to stop
8 right today.

9 We have a victory because the
10 English-only bill has not passed, and a lot of
11 people didn't realize what the impact of that bill
12 was. We know that English is the official
13 language of this country. We have an influx of
14 people here, and they have a right to be here.
15 They're permanent residents, but they're not
16 citizens yet.

17 They've come from California and from
18 Texas to work here. Why? Because of the race
19 riots, because of the earthquakes, because of the
20 economy. There are many things that bring people
21 to Iowa, many things.

22 MR. VAN LO: My question is: How
23 sensitive is the training to our minorities? How
24 is that training to be sensitive to minorities,
25 and you need that training?

1 MS. CAMPOS: I think that by the -- by
2 the fact that our police officers are being
3 more -- they're being more schooled in diversity
4 training and better trained in cultural
5 awareness. I can only speak to the things that
6 have happened in the Asian community, how things
7 went wrong on that stamp case up here on the west
8 side. I can sympathize with these people because
9 I know what it's like. I'm a person from another
10 class. Although I'm a citizen, I still have
11 physical makings that do not make me an Anglo.

12 MR. VAN LO: So you think they have
13 enough sensitive classes to train the police
14 officers?

15 MS. CAMPOS: I think that's what we
16 need. We need to continue training.

17 MR. VAN LO: For them?

18 MS. CAMPOS: Yes.

19 MR. VAN LO: Train police officers to
20 have enough -- human relations class or whatever
21 that is.

22 MS. CAMPOS: I agree with you 100
23 percent. That's why I stated, the more training
24 they get, the more effective they are going to
25 be. And also, being a member of the Civil Service

1 Commission, I can tell you that we have heard some
2 cases that leave me wondering sometimes, "Why did
3 this ever happen? How did this guy ever get to be
4 a policeman?"

5 And you think all those things, but we
6 need to know that there is a place where it can be
7 stopped. And we need do those things to stop it.

8 DR. SOMMERVILLE: Ms. Campos, what do you
9 need -- you and the other court-appointed
10 interpreters need to do your job more
11 effectively?

12 MS. CAMPOS: Well, I think one thing we
13 need to do is that there is something for all of
14 us to do. Sometimes people feel like, "Oh, well,
15 Campos has got another case, I don't have a
16 case." They can have all my cases. I don't care
17 about getting paid. I've spent a whole life's
18 work and I didn't get paid for a lot of it.
19 That's not the point.

20 But I think when -- Interpreters need to
21 be able to talk with each other, need to be able
22 to know that the community is appreciating the job
23 they're doing, and that lawyers will not be there
24 with an attitude that says, "Oh, he really doesn't
25 know what his name is, so whatever I'll call him,

1 he'll answer to that." And that is an attitude
2 that I will not tolerate.

3 I will not tolerate any type of racism,
4 proceedings in a court trial. I will not tolerate
5 it. And it's up to me and my interpreters to not
6 let it happen. You need not let it happen. I
7 don't care who the attorney is. It cannot happen
8 in a courtroom where I am an interpreter; it
9 cannot. So that's something we need to have.

10 We need to have the judge's commitment
11 and those lawyers commitment that there will be no
12 racism of any kind for any ethnic group in that
13 courtroom as a defendant that day.

14 MR. HERNANDEZ: I won't ask for numbers.
15 I know in your interview that you talked about the
16 possibility that -- of some housing case. Can you
17 tell us if the new immigrants are having problems
18 finding adequate housing?

19 MS. CAMPOS: Yes, they are having trouble
20 finding adequate housing. And like I told you
21 when, I believe there's a ground for
22 discrimination, I do refer them to the Human
23 Rights Commission, and then to the Civil Service
24 Commission -- Civil Rights Commission.

25 One thing that they don't understand is

1 that a blond, blue-eyed person can go apply for
2 this apartment, and I can go at the same time, and
3 she gets the apartment, and I don't.

4 Then they ask her, is she married, "How
5 many people are in the apartment?" And they ask
6 me the same, and I have more than two kids or
7 three kids, or more. So automatically, I can't go
8 into that two-bedroom apartment. It's a
9 discrimination factor because -- and then I need
10 to have receipts. I need to have prior proof that
11 I've been a good tenant someplace else.

12 Some of our people are not used to all of
13 that. They say, "Well, there's a house for rent,
14 why can't I rent it?" And "There's an apartment
15 there, why can't I rent it?" And all of a sudden,
16 that landlord is also a prejudice, biased person,
17 and he doesn't realize it.

18 I want to share something with you, so
19 that you can understand when we interview some of
20 our officers for promotions, one of the things we
21 ask them is, "Are you prejudice?" Folks, I could
22 give you a \$10 bill for everyone -- if I was rich,
23 I'd say \$100 -- They don't know what prejudice
24 is. "Oh, no, I'm not prejudice."

25 Ladies and gentlemen, all of us in this

1 room are prejudice. We've got some prejudices
2 about something, you know, but they can't answer
3 that.

4 The other thing is that in some of the
5 screening that we do, one of the things that we
6 ask is -- one of the answers says, "Lead by
7 example." Do you know how many people cannot say
8 "Lead by example"? I mean, I've really been
9 educated.

10 And these people that are renting these
11 houses, they're interested in making money. If
12 I'm brown skin or if I happen to be black,
13 Afro-American or something they don't know nothing
14 about, they're not going to rent to me. They're
15 afraid of me.

16 MR. HERNANDEZ: Do the new immigrants
17 know how to file a discrimination complaint?

18 MS. CAMPOS: No, they don't, and that's
19 why I say to them, "Go to the Human Rights
20 Commission or call the Civil Rights Commission."
21 Or I begin to do a little homework and help them
22 out and try to point them in the right direction,
23 or take them to the person they need to see.

24 DR. SOMMERVILLE: Any other questions?
25 Thank you so much.

1 MS. CAMPOS: Thank you.

2 DR. SOMMERVILLE: Is Ila Plasencia in the
3 room?

4 MS. PLASENCIA: Yes.

5 DR. SOMMERVILLE: Please step up to the
6 podium.

7 For the sake of our record, please state
8 your name, your business address, home address,
9 and your occupation.

10 MS. PLASENCIA: First, good morning. I
11 want to thank the Commission and want to thank you
12 for inviting me. I think this is a great
13 opportunity. My name is Ila Plasencia. I live at
14 1809 Hillside, West Des Moines, Iowa, ZIP code,
15 50265.

16 I'm past national president for the
17 Midwest and the CEO for Midwest Education, which
18 is all on a volunteer basis. And my paid position
19 is -- I'm a family advocate for Drake University
20 Headstart Program, and they were generous enough
21 to let me come today.

22 I want to give you a little background on
23 some of the things that the League of United Latin
24 American Citizens is doing -- has done and is
25 doing, and a little bit of our history. And then

1 I'll get into some of the problems that we're
2 running into.

3 The League of United Latin American
4 Citizens is a national Latino non-profit
5 organization. National LULAC was founded in 1928,
6 and LULAC is working for headstart. I wanted to
7 add a little thing here.

8 At that time, the reason for the
9 organization was to organize -- was to establish a
10 school of 400 words, and this was for the Latino
11 children so they would be able to go to school
12 knowing some English language. This is where
13 headstart got their idea and was an idea to give
14 the children a head start. So we're proud of
15 that.

16 In 1957, Des Moines organized its first
17 council here, and the purpose for the organization
18 at that time was to -- because of the social needs
19 in our community. LULAC was the first entity to
20 educate the Latino community on their civil
21 rights, political issues and discrimination.

22 Currently, we co-sponsor and hold
23 political forums, and we're getting ready right
24 now for the presidential forums that are coming
25 up. Voter registration continues to address

1 issues of discrimination.

2 The Latino community of Des Moines has
3 increased to a level now where LULAC can no longer
4 meet all of the community needs, and there are
5 other organizations that are assisting in the
6 needs of the new immigrants.

7 The Latino population in this city and
8 county and state has quadrupled over the past five
9 years. And I won't bore with you statistics
10 because I know that you are aware of how fast our
11 community is growing.

12 Over a decade ago, the LULAC predicted
13 this growth and the needs of bilingual employees
14 in several areas. Many businesses and agencies
15 would not take our advice, and of course, right
16 now, Des Moines is trying to catch up.

17 Now we are overextended in filling the
18 void on our volunteer basis. The volunteer time
19 is spent in translating and interpreting in
20 courts. I know Mary is paid to do the
21 interpreting in courts.

22 Our primary business focus is to
23 translate on traffic tickets, things that are
24 minor; not anything that is legal. We do a lot of
25 interpreting at hospitals and schools, and writing

1 and translating of all kinds of documents, which
2 also includes the assistance in filling out
3 numerous forms, such as taxes, accident reports,
4 insurance forms, job applications, various
5 government forms; you name it, we do it.

6 LULAC was the first to provide
7 citizenship and English classes to the Latinos
8 arriving here in 1980. We provided the classes
9 that the new immigrants needed to become permanent
10 residents, and this is really how this all began
11 to evolve.

12 We gave the classes that required forty
13 hours of study to become permanent residents. And
14 at that time, then, since we were giving the
15 classes, they were coming with other needs, and
16 this is really how all this started and snowballed
17 and become so large.

18 Now that they have had their five years
19 of residency, now we've started giving citizenship
20 classes, and they're taking the citizenship
21 classes and applying, and we help them process
22 their application.

23 But it's taking the Immigration and
24 Naturalization Service approximately a year,
25 sometimes a year and a half, for these

1 applications to clear and that they can
2 participate in the swearing-in ceremony.

3 And we go to these swearing-in ceremonies
4 because now we have at least 30 percent of the
5 people becoming American citizens are now
6 Latinos. And in some cases, we've had up to 50
7 percent of the swearing-in class of Latinos.

8 And another thing that I complain about
9 is out of all these folks that are becoming
10 American citizens, we have yet to have some
11 pictures in the Register of Latinos. It's always
12 some other group. We don't have the Latinos being
13 pictured. Now being pictured doing other things
14 not good; of course, we're there.

15 And in order to make things a little bit
16 easier for the new immigrants, LULAC has also
17 developed a partnership with the Mexican Council
18 in Chicago, and we have them come almost once a
19 year.

20 And in May, this coming May, we're going
21 to host the third annual Mobile Outreach
22 Initiative, and this provides the Latinos in Iowa
23 to renew their passports, to get IDs -- which is
24 very important; they need IDs -- and to apply for
25 dual citizenships. This saves them a trip -- a

1 six- or eight-hour trip from going to Chicago.

2 I'm sure you all read the paper this
3 morning, that the English-only bill did not make
4 it in Iowa. And I think it's a wonderful thing
5 that Iowa is stressing that the new immigrants
6 should learn English, because I think without
7 English, we're not going to get very far.

8 But LULAC has had a difficult time -- we
9 might as well say it's impossible -- to get the
10 Des Moines Area Community College to provide a the
11 Latino community with an ESL teacher and classes
12 located in our neighborhood.

13 Don't get me wrong, there are ESL classes
14 all over. But to get them to hold -- to have a
15 teacher and the classes, like I say, in the DMACC
16 building, or the United Mexican American Building,
17 is an impossibility.

18 My first contact with DMACC was in '89
19 when LULAC had its own building in West Des
20 Moines, and we started our ESL classes. At that
21 time, DMACC told LULAC that we needed a certified
22 teacher in order for them to pay the teacher and
23 for them to hold the classes.

24 And they did provide material for a
25 volunteer, because we volunteered until 1993 when

1 we had the flood, and we lost our building. Then
2 in '94, we were able to find a professor at Iowa
3 State -- maybe you know him. And he said he would
4 be willing to teach the class.

5 So I told him to go out to DMACC, tell
6 them you're interested, make an application, see
7 what happens. At that time, they said they
8 weren't hiring anybody, they didn't have any
9 money. Yet, to this date, DMACC holds several ESL
10 classes around Des Moines.

11 In fact, they created a new class -- they
12 were advertising for a teacher so that they could
13 have ESL classes in the jail. But none of them
14 are located in our community where our folks could
15 go.

16 Some of the positive things that -- LULAC
17 has continued to work in the area of education and
18 civil rights. And in '62, we began awarding our
19 scholarships to Mexican-American students in our
20 community.

21 And this weekend, along with Des Moines
22 Public Schools, we're hosting our fifth annual
23 LULAC student award ceremony. And we will be
24 honoring Latino college and high school graduating
25 seniors of the metro area.

1 And along with that, we're also going to
2 be honoring students from the sixth through the
3 twelfth grades that have shown some kind of
4 improvement, something to acknowledge their
5 achievement, and also afford an opportunity for
6 them to meet and see and talk to various local
7 Latino role models.

8 Now, this is a good side. Now we're
9 talking about some of the things that are
10 happening to Latino students in the Des Moines
11 School District. Several Latino youths in the
12 Des Moines School District do face problems. And
13 these are some of the concerns that have been
14 stated to me, and we're going to start working on
15 them and interviewing some of the students and the
16 parents.

17 Such as three students were expelled from
18 a class for speaking Spanish in the classroom,
19 while other students are permitted to speak their
20 non-English, native language in the class.

21 There was another incident where there
22 was a teacher in the parking lot who was demanding
23 that Latino students and parents produce their
24 driver's licenses so he can verify that they are
25 licensed to drive a car. I couldn't understand

1 that. I don't know why he has to know why they
2 can drive a car.

3 Another one is far too many Latino youths
4 are being suspended or expelled from school
5 without proof of school violation and due
6 process.

7 Now, we do have a LULAC educational
8 specialist who is working with the at-risk Latino
9 youth, along with the Des Moines School District
10 coordinator, plus a program. This program
11 instills self-esteem, an interesting method of
12 learning awareness about the Latino culture and
13 their identity.

14 I feel that this project has proven to be
15 successful. Students are learning to research in
16 the library. They're learning to research on the
17 Internet on historical events related to the
18 Latinos. While they're experiencing that learning
19 and fun, they're also being acknowledged and
20 building self-esteem.

21 But with last night's news, I went to the
22 board meeting -- school board meeting, and I see
23 they're going to have numerous budget staff cuts,
24 and I think the Des Moines School District is
25 going to do away with the multi-culture program.

1 And also, they have some school closings.

2 So I think this program might be one that
3 is going to be eliminated. And I think that's a
4 big concern, because we're just now getting to the
5 place where we're having some good input and may
6 not be for very long.

7 Another thing, each fall, LULAC, along
8 with Drake University, Simpson College, Iowa State
9 University, and Central College -- which this
10 year, we've been able to get DMACC to
11 participate -- to sponsor our annual Latino
12 College Expo.

13 And students from the seventh through
14 twelfth grade are invited to go to this expo, and
15 they are exposed to college experience by visiting
16 different colleges in our area and attending a
17 mock college class and meeting college recruiters
18 and engaging in one-on-one conversations with
19 Latino college role models.

20 You just asked Mary Campos about what
21 police could do to recruit. Here is one method
22 that they could participate in the recruiting of
23 these students, by participating in this --
24 policemen. They would be more than happy to
25 invite them to participate.

1 Now, this is an example of some of the
2 current projects we're working on, and of course,
3 we are meeting -- trying to meet some of the needs
4 of the community -- Latino community, but like all
5 organizations, LULAC faces shortage of funds and
6 volunteers.

7 Another thing that you were asking
8 something about the court -- of how you can help.
9 I think you asked that we, in the past, have had a
10 Spanish release program. And Juan Valdez, who is
11 no longer with us -- he's been gone for about two
12 years -- he used to head that program.

13 And I think that's another thing that we
14 can begin again, and that would help our Latino or
15 new immigrants from staying in jail for such a
16 long time, if we had that Iowa Hispanic Release
17 Program, we could get to them right away, and they
18 wouldn't have to be in jail for so long.

19 Well, that's about all I have to say. If
20 you have any questions, I'll be more than happy --

21 MR. COULTER: You spoke in several ways
22 about the relationships with DMACC and also the
23 educational system. Many of our -- especially our
24 urban school systems, which are serving many of
25 our ethnic communities, are shrinking in their

1 total enrollment, yet our new immigrants and our
2 ethnic enrollments are rising very rapidly.

3 I think it's been difficult, and I
4 appreciate your frustration that as the downsizing
5 of the public school systems has to take place,
6 that there be recognition that there's actually
7 growth in the immigrant population and in our
8 ethnic minorities. That's going to be very
9 difficult.

10 I had the impression -- and this is just
11 leading to my question here -- I've had the
12 impression that some of our community colleges had
13 a better appreciation for where growth was
14 occurring and had begun to step in, to some
15 extent, to help. And I'm disappointed to hear
16 that your impressions are that DMACC is not
17 seeming to be headed in that direction.

18 Can you amplify on that? What seems to
19 be the problem?

20 MS. PLASENCIA: I think the ESL classes
21 that they're now offering -- I just got a new
22 listing -- have decreased in the amount of classes
23 that they used to have.

24 MR. COULTER: This is in DMACC? This
25 isn't the community college program?

1 MS. PLASENCIA: No. This is in DMACC.
2 And they offered to our community on the outside.
3 Not in DMACC per se, but in our community.

4 MR. COULTER: Offered by them in the
5 public schools has declined -- You think they're
6 declining?

7 MS. PLASENCIA: What did you say about
8 public schools? No, you're asking me about
9 DMACC -- Des Moines Area Community College. They
10 sponsor ESL classes in different sites around
11 Des Moines. My --

12 MR. COULTER: Are they in the public
13 schools in Des Moines, or --

14 MS. PLASENCIA: I think they have it in
15 one public school, and then they hold them in
16 OSAC. One is in the Forest Library. Another one
17 is in St. Peter's. Now, St. Peter's no longer has
18 a school, but they do use their building for
19 classes and different things.

20 But I would like to see ESL classes held
21 in our DMACC building or Visitation Church;
22 somewhere where our community goes and
23 participates.

24 Now, some of them used to go to classes
25 at the public school that's held -- I would say

1 around Sixth Avenue -- I can't remember the name
2 of the school right now. And they still have the
3 class in that schoolroom, and it's like one
4 evening a week. It used to be Tuesday and
5 Thursday.

6 I would like to see the class offered --
7 LULAC used to offer a class on Sunday, and then
8 one of the classrooms at Visitation, we would have
9 English, and the other classroom, we would have
10 citizenship classes.

11 The ESL class was discontinued because I
12 had Drake students who volunteered to give that
13 class. But Drake students are not always that
14 reliable because they have tests, they have their
15 studies, and they do it on a volunteer basis. So
16 it was a little bit disappointing sometimes that
17 people would come, and no teacher. So we
18 discontinued that. I didn't think that was fair.

19 MR. VAN LO: You say they didn't have any
20 programs at DMACC. Is there any problem why DMACC
21 didn't want to go to LULAC?

22 MS. PLASENCIA: I don't know.

23 MR. VAN LO: Have they been approached by
24 LULAC?

25 MS. PLASENCIA: I don't know if Hispanic

1 Educational Resources has approached them, but I
2 have approached them. But this is a project that
3 Hispanic Educational Resources, which is a board I
4 serve on, can do that.

5 I think right now our plate is pretty
6 full, and that's the reason we haven't really
7 pursued that. Another thing about DMACC, at one
8 time they had a position there for a Latino
9 outreach person. They hired someone, and that
10 person was only there like maybe a year. I'm not
11 certain how long, but approximately a year.

12 When the person left, I think they did
13 away with the position. Now there isn't a
14 position there, and I think that's one thing that
15 we do need. Someone that can reach into our
16 Latino community and recruit.

17 MS. WEITZ: Is your organization aware of
18 the Iowa Code which requires multi-cultural
19 nonsexist curriculum in all public schools?

20 MS. PLASENCIA: Yes.

21 MS. WEITZ: Is that being enforced in the
22 public school system to your satisfaction?

23 MS. PLASENCIA: I think Marilyn is doing
24 a good job. I think Marilyn Jones is doing the
25 best she can with what she is allowed to do.

1 MS. FRIAUF: You mentioned that the
2 newspaper often doesn't come to take pictures of
3 the Latino citizens as they become citizens. Have
4 they given you a reason why, or have you talked to
5 their EEO complaint officer?

6 MS. PLASENCIA: LULAC used to have a
7 person that served on their committee who reviews
8 items, reviews the newspaper stories, and this was
9 brought to their attention at that time.

10 I don't know who our Latino
11 representative is right now or if they have one,
12 but this was a year ago -- year and a half ago
13 that we have and we did bring all these things to
14 their attention; not only that about citizenship,
15 but also --

16 Of course, news is news. And bad news is
17 always the news that they want to print. But
18 there's also good things that are going on. My
19 concern is that when the majority community reads
20 stories about the Latinos, the majority of the
21 stories are all negative. So, of course, what's
22 that message that goes to them, is that we're not
23 responsible people. We're not ones that want to
24 do good things, and so it's always negative.

25 Let's take, for instance, the drugs. In

1 the article about meth -- the manufacturing of
2 meth, the majority of the people that have been
3 arrested are of the majority. But in the
4 article -- when they wrote the article, they said
5 that it was being trafficked from Mexico and it
6 was being brought here.

7 How the story was written, as I was
8 reading it, they're saying we're bringing all this
9 stuff up here, and that isn't the way it is. All
10 the articles I read in the paper, are all majority
11 community people that are manufacturing this drug,
12 and we're not getting a good image there either.

13 MS. MURPHY: In Sioux City, one of things
14 that we found is that mothers -- women, Latino
15 women -- are isolated, really, for all practical
16 purposes. They're tied to the families and their
17 children, and if you try to move them, enable them
18 to come into the community of schools, go to the
19 grocery store and shop, these kinds of things --
20 we've been looking at ways to get them to take
21 self-help classes.

22 Have you been doing anything like that in
23 Des Moines? Is there any way of your -- you want
24 DMACC to come into the neighborhood, which would
25 make it more accessible to mother's, bring their

1 children to these classes. Are you having any
2 luck with anything like that?

3 MS. PLASENCIA: The thing -- I work for
4 Drake University Headstart program, and we have to
5 have parents participate. And the fact that they
6 know me, I think out of all the headstart programs
7 here in Des Moines, we have the biggest turnout at
8 parents meeting, because they know me.

9 And at those meetings, we stress to them
10 how important it is about education, about the
11 participation -- in fact, our entire meeting is
12 held in Spanish. Then I translate to English to
13 two English-speaking parents.

14 Not all of our families are Latino. I
15 would say 50 percent of our children are Latino
16 children, the other 50 are others. But the only
17 ones that come to the parent meetings are the
18 Latinos.

19 We have a president that is Anglo, and
20 she understands a little bit of Spanish, so we
21 interpret for her. We just had a meeting Sunday.
22 She and another lady, who is Anglo, but married to
23 a Latino, were the only two Anglos that came; the
24 rest were Latino parents. They see it's very
25 important to participate in their children's

1 education.

2 Now, to answer your question of how
3 you're going to get them there, you have to have
4 someone like myself who knows the community and
5 who encourages and tells them how important it is,
6 and then I think you will get them there.

7 MS. MURPHY: And the funding for
8 childcare for Latinos, and a place to meet,
9 transportation?

10 MS. PLASENCIA: Well, we don't have a
11 problem with transportation to the meetings
12 because the husbands come with them. We do have a
13 sitter who takes care of the children while we are
14 participating in the meetings.

15 MS. MURPHY: How is this funded?

16 MS. PLASENCIA: Drake University.

17 MS. MURPHY: But it's not publicly
18 financed?

19 MS. PLASENCIA: No.

20 DR. SOMMERVILLE: We'll take one more
21 question.

22 MR. HERNANDEZ: Ms. Plasencia, are you in
23 a position in your daily work to evaluate the ESL
24 classes at the elementary and high school level, K
25 through 12?

1 MS. PLASENCIA: Through my work?

2 MR. HERNANDEZ: Yes.

3 MS. PLASENCIA: No, not really, not
4 through my work. But through my volunteerism, I
5 think, yes. But through my -- I thought you
6 meant -- When you say work, I thought you meant my
7 paid job.

8 MR. HERNANDEZ: Could you evaluate the
9 ESL?

10 DR. SOMMERVILLE: I think we're going to
11 have to cut this. Thank you.

12 MS. PLASENCIA: Thank you, again.

13 DR. SOMMERVILLE: Is Ann Naffier in the
14 room?

15 MS. NAFFIER: Yes.

16 DR. SOMMERVILLE: For the sake of the
17 record, would you please state your name, your
18 address, and occupation.

19 MS. NAFFIER: Thank you. My name is Ann
20 Naffier. My work address is 4211 Grand Avenue,
21 and I work there with two organizations. I'm the
22 director of Catholic Peace Ministry, which is an
23 advocacy organization that works for peace and
24 justice issues; one of these issues being
25 immigrant rights.

1 And I also work as a consultant for the
2 American Friends Service Committee, Immigrant
3 Rights Project. I work there 20 hours a week, and
4 that's where most of my information is going to
5 come from today.

6 Let me tell you the American Friends
7 Service Committee is a Quaker organization
8 supported by individuals who care about social
9 justice, peace and humanitarian service. Its work
10 is based on Quaker beliefs in the dignity and
11 worth of every person, and is based on the power
12 of love and nonviolence to bring about social
13 change.

14 The American Friends Service Committee
15 probably has about ten staff people in their
16 building, only two of us work on the Immigrant
17 Rights Project.

18 The Immigrant Rights Project has as its
19 goal: To help create an atmosphere in Iowa in
20 which Latino immigrants can participate in the
21 decision-making process in the workplace, host
22 community, city, and/or state.

23 Sandra Sanchez is the full-time
24 director. She is on vacation in Mexico. It's a
25 much deserved vacation. So I'm here in her

1 place.

2 Her project, what she works on is -- she
3 works throughout the state. My work in terms of
4 direct service is basically here in Des Moines. I
5 do go to Marshalltown and Perry once in a while.
6 Otherwise, I work in Des Moines. So most of my
7 numbers are going to be from Des Moines.

8 Our project specializes in Latino
9 immigrants, and that's largely because we thought
10 at least that many other immigrants -- the
11 Bosnians and Vietnamese and Sudanese -- had
12 refugee services helping them out, either the
13 Refugee Services or the Bureau of Refugees, and
14 they do help them.

15 But recently we've realized they only
16 help them for -- They're only allowed to help them
17 for a certain amount of time. And indeed, other
18 people came over as refugees definitely need a lot
19 of help in immigration matters as well.

20 The Immigrant Rights Project has a budget
21 of about \$100,000 a year. We -- As I said, we
22 have one full-time director, Sandra Sanchez; a
23 part-time consultant, myself; and then we have a
24 secretary who works for the whole building. I
25 think about a fourth of her time is directed to

1 our project. Although she answers the phone, and
2 I think she ends up spending a lot more than 25
3 percent of her time answering them in Spanish.

4 I wanted to say one thing about the ESL
5 classes. I do know that there is one DMACC site
6 at the First Methodist Church that offers
7 transportation and child care. And it is a
8 Godsend for immigrants.

9 However, there are two drawbacks: One is
10 that they rely on volunteers to teach the classes,
11 and I've heard -- at least that's what I
12 understand. And I've heard from one immigrant at
13 least that sometimes there's a different volunteer
14 every single class. So they often end up
15 repeating things or starting at some point in the
16 curriculum that they didn't leave off in the last
17 class.

18 The other problem, especially from any
19 Latinos and Latino women is that you need a social
20 security number to register in these classes.
21 Even though the classes are free, you do have to
22 have a social security number.

23 Many of the Latino women who are at home
24 and with their children are in the process of
25 getting their papers. Many of them are married,

1 either to citizens or to legal residents who are
2 off working, but the process for immigration to
3 get their papers, and they can't get their social
4 security number until they get their residency.

5 For some people, it can take as long as
6 five or six years. So they sit around for those
7 five or six years in their homes unable to take
8 the English -- the English-as-a-second-language
9 class.

10 It's really such a waste of time, because
11 they're not able to work. So they're spending
12 this time feeling isolated and not able to do
13 anything.

14 I've been working with AFSC -- American
15 Friends Service Committee -- since January of
16 1997. I started there working six to ten hours a
17 week. Now I'm up to twenty hours a week. The job
18 of this -- the goal of the organization, as I
19 said, is really to organize the community, to
20 advocate for immigrants, and to educate both the
21 immigrants and the white community about
22 immigration.

23 However, one of the first things we
24 discovered is it's practically impossible to even
25 begin to talk about new immigrants who have come

1 here without addressing their direct needs. We
2 try to get a group of immigrants -- Sandra would
3 try to get a group of immigrants together and talk
4 about, you know, "We're going to go have a lobby
5 day or something."

6 And their questions would be, "What do I
7 do about my immigration papers?" "What do I do
8 about this ticket that I got from a police
9 officer?" "What do I do when my child is sick and
10 I don't have insurance?"

11 So that's when I came on to supposedly
12 provide those direct services to immigrants.
13 Twenty hours a week isn't nearly enough time to do
14 it. And there are many other organizations in
15 town that are trying to do it as well, and I don't
16 think any of us can, all put together, can
17 possibly fill the needs of immigrants.

18 One of the big problems we have is that
19 even if we could refer immigrants to other
20 organizations -- and this is getting better in
21 some cases -- but for instance, for a long time,
22 you know, if somebody had a problem with the
23 Department of Human Services, it was very
24 difficult to find someone who could speak Spanish
25 in order to help them.

1 So we would end up going with them to
2 their appointment and translating. Now that's
3 getting better in the Department of Human
4 Services. There's a great organization in town
5 called Home Incorporated, who we refer all our
6 housing cases to, and they have a Spanish-speaking
7 staff person as well.

8 I know that the Wage An Hour Division of
9 the Department of Labor has a Spanish-speaking
10 staff person. And this has been an incredible
11 help to us. Up until then, we were trying to deal
12 with all these issues of employers who weren't
13 paying their employees, or people who had civil
14 rights complaints, things like that, so now we are
15 able to refer them out a little more.

16 I was asked to give quantifiable
17 evidence. And so I have to say, first of all,
18 that often, we're so busy taking telephone calls
19 and appointments and seeing people that it's been
20 difficult to keep some kind of record. So the
21 quantifiable evidence I have is from my time
22 sheets that I fill out.

23 I can tell you in the last year I have
24 300 appointments with immigrants who are coming
25 for some kind of direct aid. Some of those

1 immigrants came more than once, so I would say
2 about 120 people that we actually did something
3 for them.

4 Also, in addition to the people who
5 actually came in and we saw personally, we had
6 about 400 telephone calls in the past year; some
7 of those people probably eventually did come in
8 for an appointment, many were referred to other
9 agencies, and many simply had problems that we
10 could not help them with.

11 Most people who call, call because of
12 immigration problems. They want information about
13 how they can apply for residency, or they want
14 information about what on earth happened to their
15 residency application that they filed for years
16 and asking how they can get help.

17 I guess I have to say about the INS,
18 there have been specific complaints about the INS
19 being very rude to Hispanics, treating them as
20 really less than human is what I've heard.
21 However, I also know there are INS agents who are
22 very sympathetic, and I certainly don't want to
23 paint them all as bad. And I know that's
24 something -- some just have their bad days, and I
25 know they just get in bad moods.

1 But I have to -- Really, the whole
2 immigration process is pretty racist. I realize
3 that they have their reasons for having quotas,
4 but you know, that Mexicans -- any Mexican who is
5 a U.S. resident who is applying for their family
6 members are going to have to wait longer than,
7 say, somebody from Vietnam or other countries
8 around the world.

9 It's not just Mexicans. Chinese
10 immigrants also have to wait longer than others.
11 Philipinos have to wait the longest of all. So
12 it's not just Hispanics; I realize that.

13 But just the mere idea as well that you
14 can be a legal resident of this country or you can
15 be a U.S. citizen, and you can be paying your
16 taxes and you are working and you're wanting the
17 best for your family and your community, and yet,
18 you can't bring your family to this country for
19 five years.

20 If you're a U.S. citizen, you can
21 probably do it in about two years. Two years is a
22 long time to be away from your wife and children.
23 So, you know, I think right there, there's a big
24 problem.

25 Other than immigration, we have had --

1 about 80 of the calls that I've dealt with have
2 been wage-an-hour disputes with employers.
3 Immigrants who have worked and their employers
4 then refuse to pay them. In each of these cases,
5 the reason they have refused to pay them is
6 because the immigrants either did not have a
7 social security number or had a social security
8 number found not to be a valid social security
9 number.

10 Many employers -- and particularly, I've
11 had problems with temporary agencies here in
12 town -- the temporary agencies will hire the
13 immigrants, send them to another place to work, of
14 course, to a factory around town, and then two
15 weeks later when it's time to cut the check, they
16 say, "Oh, your social security number was not
17 valid. We can't give you a check."

18 I have talked to these people on the
19 phone, the managers of the temporary agencies.
20 They seem to not realize that there is a law that
21 says you get paid for the time you've worked,
22 whether you have a valid social security number or
23 not.

24 It seems to me -- and I don't really know
25 how this works, but it seems to me if they could

1 check on the validity of their social security
2 number when they're cutting the check, why
3 couldn't they check on it before the immigrants
4 had done the work?

5 I realize that they are complying with
6 the law in not being able to hire someone without
7 a social security number, but I don't understand
8 why they wait until it's time to cut the check to
9 decide that they're not going to pay that person.

10 Luckily, we do, as I said, have a
11 Spanish-speaking staff person in the Wage An Hour
12 Division of the Department of labor who has been
13 very helpful to us, to the immigrants that we've
14 referred to them.

15 DR. SOMMERVILLE: Just about one more
16 minute, Ms. Naffier.

17 MS. NAFFIER: Well, let me tell you what
18 I've had. I've had about ten of the immigrants
19 who have called us and have talked about police
20 harassment of them. One immigrant has been
21 stopped 20 times in the last year. And another
22 who was stopped five times. None of the times
23 that he was stopped was he ever given a ticket,
24 which leads you to believe that he was stopped
25 because he looked Hispanic, because the police

1 officer could never find any other reason to have
2 stopped him.

3 I have immigrants who call from prison.
4 Some complain of not being allowed translators,
5 sometimes because they had some English knowledge,
6 and the people at the prison decided that they
7 didn't need a translator because they appeared to
8 understand some English.

9 Another one is the INS hold on prisoners
10 now; undocumented prisoners, who are
11 apprehended -- sometimes not even for a crime;
12 sometimes under the suspicion of a crime, then
13 turned over to the INS to be held indefinitely.
14 And it causes a great problem for them and their
15 family, of course; especially an emotional
16 problem, being in prison and having no idea when
17 you will get out.

18 I have received about 20 complaints about
19 housing in the past year, and I do refer them to
20 Home Incorporated, and that would be a great
21 agency to talk to and see what they think about
22 civil rights for Hispanics.

23 I guess I'll stop there.

24 DR. SOMMERVILLE: Thank you.

25 Are there questions?

1 There are no questions.

2 I would say, I think your agency is
3 certainly covering a number of areas.

4 MS. NAFFIER: Right.

5 DR. SOMMERVILLE: Are there things that
6 you need, other things that you need, to help your
7 agency do a more effective job, and I'm not
8 putting the quality on the effectiveness of your
9 agency?

10 MS. NAFFIER: I think the biggest problem
11 I face in trying to help immigrants is not knowing
12 where to send them. I'm beginning to get that
13 after two years. It would have been nice to have
14 some sort of guide of services that are available
15 to them. I think specifically, you know, I do
16 hear a lot of things that could be civil rights
17 abuses.

18 It's been difficult, and maybe this is
19 just because we haven't known how -- it's been
20 difficult to report these abuses. The one civil
21 right abuse sheet that I've tried to fill out is
22 rather long and complicated, and it is in Spanish,
23 but sometimes immigrants don't even understand the
24 wording that is written because of the kind of
25 language that is used.

1 And then there's the problem that they
2 feel often reporting their abuses doesn't do any
3 good for them. Yeah, they've reported it, but
4 there doesn't seem to be anything to do about it.

5 But I guess the biggest need is more
6 people working on this kind of direct service to
7 immigrants and that we can communicate with each
8 other to try to figure out who could do what
9 best.

10 MR. HERNANDEZ: Quick question. What is
11 the position of the Iowa Immigration Rights -- in
12 terms of immigration rights network, in terms of
13 INS trying to initiate deputizing local --

14 MS. NAFFIER: We're very against that
15 idea. We believe that any immigrants who live in
16 this country, in this state, whether they are
17 documented or undocumented, need to have the
18 protection of the law. An undocumented immigrant
19 who is the victim of domestic abuse or who is the
20 victim of a crime will not call the police now. I
21 mean, and luckily, so far the deputizing has not
22 happened. But we feel that any immigrant should
23 be able to call the police to report a crime, and
24 if they're afraid of deportation by doing that,
25 we're creating a more vulnerable class of people,

1 and they're already vulnerable. We've had
2 incidents of the bounty hunters in the past couple
3 of years who have gone into Hispanic trailers and
4 homes, and specifically saying, you know, "We're
5 here with the INS." And they're handcuffing
6 people to their kitchen counter and demanding
7 their papers, and then taking their papers and
8 demanding money to get the papers back. You know,
9 and if they didn't have papers, of course, they're
10 all the more scared, and they're going to pay
11 money right away.

12 They are very abused and very vulnerable,
13 and deputizing the police officer is just going to
14 make them all the more vulnerable.

15 MR. COULTER: Is there any legal services
16 available to immigrant populations? I mean, we've
17 talked about housing and all of these other kinds
18 of things, and we have mechanisms at the State
19 level to bring complaints about these kinds of
20 things, but you don't really have access unless
21 you have some form of a pool of people who are
22 knowledgeable and available to assist you.

23 MS. NAFFIER: About -- Specifically about
24 immigration issues?

25 MR. COULTER: Legal services for

1 immigrants for the kinds of problems they're
2 having.

3 MS. NAFFIER: Well, immigrants are able
4 to go to the Legal Aid of Iowa for specific civil
5 problems; you know, in a divorce case or a child
6 support case, or something like that. There are
7 immigration lawyers in town who can deal with
8 immigration causes, but they charge a high amount
9 of money, so many people cannot afford that.

10 One of the biggest problems with legal
11 issues is that even if an immigrant commits a
12 crime and has a public defender help them out,
13 often the public defender isn't aware of their --
14 how their charge or how they defend them can
15 affect their immigration status.

16 So we'll have public defenders doing
17 something that would make perfect sense if they
18 were defending an American citizen, but will
19 actually cause an immigrant to be deported
20 afterwards.

21 The short answer is, no, there aren't
22 legal services available.

23 MS. COULTER: Thank you.

24 DR. SOMMERVILLE: Do you have a bilingual
25 staff?

1 MS. NAFFIER: Yes, both of us are
2 bilingual.

3 MR. VAN LO: You told us we have one lady
4 who went to school and had no social security
5 number. You say that?

6 MS. NAFFIER: Yes.

7 MR. VAN LO: Do you have any cases of
8 students that go to the public school and cannot
9 go to school because of paper?

10 MS. NAFFIER: Not in -- I've never had
11 that problem with a grade school. High school --
12 I haven't -- I've heard people express fear about
13 that, but they've always gotten into school,
14 so I'm not quite sure how they've gotten around
15 that.

16 MR. VAN LO: Because according to law,
17 it's prohibited for you -- You don't have to have
18 papers to go to school.

19 MS. NAFFIER: Right. But I have also
20 heard school officials say that they have to ask
21 for your social security number.

22 MR. VAN LO: They don't have to.

23 MS. NAFFIER: So they don't have to ask
24 for it?

25 MR. VAN LO: No.

1 MS. NAFFIER: I think it's, you know -- I
2 think the problem has come more in things like
3 free-lunch programs. They did have to ask for
4 their social security number for the free-lunch
5 program, so I think that's where the --

6 THE REPORTER: I need to take a break so
7 I can change my paper.

8 DR. SOMMERVILLE: We're going to take a
9 break for the reporter to change her paper.

10 (Brief recess.)

11 DR. SOMMERVILLE: We're going to do a
12 shift of the agenda. We will listen to Sandy
13 Charvat Burke.

14 Sandy, please state your name and address
15 and occupation.

16 MS. BURKE: Sandy Charvat Burke. I am
17 with Iowa State University. My address would be
18 Department of the Sociology, Iowa State, Iowa
19 State University, Ames, Iowa 50011. But I also am
20 sort of here as a second hat in that I live in
21 Marshalltown, of which I serve on the Diversity
22 Committee. And my address there is 1726 Country
23 Club Place, Marshalltown, Iowa.

24 With Iowa State, I'm a sociologist, and I
25 do population analysis for Iowa, and that's what

1 I've been asked to talk about today. And I have a
2 handout. Frequently when I talk, I use a slide
3 presentation. What I've done is put these things
4 on the handout so you can follow along.

5 I'm going to go quickly because Ascension
6 also asked me to make some comments about the
7 Marshalltown Diversity Committee.

8 First of all, Figures 1 through 4 and 5
9 tell you a little bit about Iowa's population
10 change. I'm going to give that to you as a
11 background before I talk about the diversity.

12 You can see our census count in 1990 was
13 just under 2.8 million people. However, we look
14 at the bar graph in Figure 2 and see that
15 population in Iowa declined between 1980 and
16 1990.

17 That was a loss of about 137,000 people.
18 That's equivalent to the combination of the city
19 of Cedar Rapids and Cedar Falls combined. So that
20 was a large population loss. A 4.7 percent for
21 Iowa, and that compares with an almost 10 percent
22 gain for the nation overall.

23 Iowa was only one of four other states --
24 well, one of four states plus the District of
25 Columbia, that lost population during that time.

1 That's shown in Figure 6.

2 Then in number 7, we see that the Census
3 Bureau also does population estimates for us, and
4 for 1998, Figure 7, you can see that we have
5 begun -- they estimate we've begun to gain
6 population back, about 85,000 people; about a 3
7 percent gain since 1990. And that compares still
8 with about 8 to 9 percent gain with the U.S.
9 overall, so we're still much slower than the
10 rest.

11 Also in that figure, you see
12 projections. We're projecting that we will
13 continue to grow, and there again, though not at a
14 rapid rate; just a fairly small rate of gain.

15 Now, let's go to some of the things about
16 diversity in Iowa. First of all, in Figure 8,
17 Iowa has not been a very diverse state through all
18 of its history. There, the states that are
19 colored in black show that those are the states
20 that have been at least 95 percent white at the
21 census of 1990. There's only a few states in the
22 country like that. The U.S. overall is about 20
23 percent minority persons; Iowa about 4 percent.
24 110,000 to about 112,000 minority persons in Iowa
25 in 1990.

1 Now, if you turn over to Figure 9, you'll
2 see that when we do this in terms of numbers of
3 people, the bar size is there for the minority
4 persons in Iowa is pretty small. That really
5 shows you there how few minority persons and
6 persons of color there have been in Iowa.

7 However, Figure 10 -- Remember I said
8 Iowa lost population. The white population
9 actually declined about 6 percent. There, you
10 see, though, that all the minority groups
11 increased in population. There, dramatic growth
12 in the Asian population of 120 percent.

13 However, still keeping in mind these are
14 always small numbers of actual people. Now, we've
15 begun to see some -- We've had very recent growth,
16 so that's things that have taken place up to
17 1996.

18 How do we know what's been happening
19 now? We know there's growth, but it's hard to
20 track this, and it's even very difficult for the
21 Census Bureau itself to be able to do estimates of
22 the population when we don't go out and do the big
23 census that's going to be coming up next year.

24 One of the things at Iowa State that
25 we've done is we're looking at enrollment in the

1 schools. Experience in Marshalltown, and I think
2 other communities, would also say that the first
3 places where you feel the new immigration is with
4 healthcare, housing, law enforcement, and then in
5 the schools. The schools may lag a little bit
6 because some of the single men may come first
7 without their family. But you feel it very, very
8 soon.

9 So if we track minority enrollment in
10 schools, we can then see how the overall
11 population might be changing. The census also
12 does population estimates for the counties by race
13 and Hispanic origin every year. They started
14 doing that here in the 1990s.

15 So what we've shown you here in Figure 11
16 is we're -- Here, we're talking minorities. The
17 enrollment figure in terms of our schools 1980,
18 1990, and then 1997, you can see that there's a
19 growing gap there. We have about 8 percent. And
20 1997 is the last year for which I have received
21 this, based on the 1997-'98 school year. I don't
22 yet have the current school year, but I will here
23 in another month or so.

24 MR. COULTER: Is this is based on census
25 data, or the Department of Education?

1 MS. BURKE: When I'm talking about
2 enrollment there, I'm talking Department of
3 Education enrollment figures. These are actually
4 enrollment numbers of kids.

5 So then if you look at Figure 12, you can
6 see how this has changed over the last ten or
7 twelve, twenty years almost. Although the growth
8 has been there every year, you can see it's become
9 more steep in terms of rate of change and increase
10 there in the nineties, later nineties in
11 particular.

12 Now, the next page shows you some maps
13 where I've just kind of plotted out here. This is
14 enrollment again. Here, we're focusing on
15 enrollment in several different times we've gone
16 through.

17 In 1979, the first Figure, 13, there, we
18 had no county that had even 15 percent minority
19 enrollment. And that was the case in each -- as
20 you go through each time period, you see more
21 counties are being added, more counties are
22 darkened in. Only until 1993, or might have been
23 '92, or somewhere there -- This is just what I'm
24 showing you. We finally see several counties that
25 have gone over 15 percent enrollment.

1 And I know you probably don't know your
2 counties to figure out where we're at, but
3 basically those are metro -- This is Muscatine
4 County, Scott County, Black Hawk County with
5 Waterloo, and so on.

6 Then if you turn over to the next page,
7 in 1997, you see even more counties. Now, we had
8 seven there with 15 percent enrollment. Those are
9 again mainly urban counties, metro counties. But
10 we also have Storm Lake in Buena Vista County, and
11 we have Louisa County down in the southeast, which
12 has Columbus Junction and the IBP plant.

13 So we've seen that the enrollment in
14 terms of numbers statewide is increasing, but we
15 have more and more counties involved with larger
16 minority enrollments than have historically ever
17 been the case for Iowa.

18 Now Figure 18 is what I want to focus on
19 here a little bit and have you take a closer look
20 at that. Here, we have seven counties in Iowa
21 that I have specifically selected to show you
22 because these are counties that have
23 experienced -- this is where minority enrollment
24 has increased; dramatically, in some cases.

25 Now, for each county there, we have the

1 first bar, which is relatively small for all of
2 these, is the enrollment as of about the '89-'90
3 school year in terms of --

4 And now, also one thing I should comment
5 on: The title on this says "White Hispanic
6 Enrollment." That is to compare most closely with
7 census data I have to use to compare it to. The
8 census uses Hispanic origin as an ethnicity
9 category, not as a race category. The race
10 categories are white, black, Asian, and Native
11 American.

12 So people of Hispanic origin can be any
13 race. In general, many, many people would call
14 themselves white, Caucasian race. That is not the
15 case for many, for some Hispanics. In Iowa,
16 that's the case more so than across the nation.

17 Very few in Iowa or nationwide call
18 themselves black, Native American, or Asian. So
19 that is technically -- It's a technicality, but
20 someone will ask -- People will ask, "Why do you
21 say White Hispanics?"

22 Basically, let's think Hispanics here.
23 And I have to do this also because the schools,
24 the way they count enrollment, they view Hispanic
25 as a race category. So we get complications here

1 in the way people are defining and categorizing
2 people in terms of what they're calling race.

3 So the first box there, first column for
4 each county shows the enrollment of that school
5 year, 1989-'90, of Hispanics. And the reason I'm
6 focusing here today mainly is because this is
7 where we're seeing the huge growth.

8 The last bar on each county represents
9 the total population counted in the 1990 census.
10 So you can see there we have relatively small
11 numbers of both kids and then total population.
12 The total population should be more than the
13 number of kids; meaning there are parents and
14 other folks there in addition to the kids that
15 were enrolled in school.

16 The two middle bars represent what we see
17 has changed as of 1997. The second bar, the
18 darkest bar, is the '97-'98 enrollment in those
19 counties of Hispanic population. You can see
20 there Buena Vista went from having a very few
21 number of 10 or 20 kids up to 400.

22 Now, Marshall County, which is where I
23 live, also went from having fewer than 100 --
24 maybe 40 kids, up to this, showing here 550
25 there. So we're over 600 kids now beyond. Every

1 one of these counties has seen some dramatic
2 growth, some much greater than others in terms of
3 Hispanic enrollees in the schools.

4 The third bar there shows, however, the
5 Census Bureau's 1997 estimates of the total
6 Hispanic population. And you can see there, Buena
7 Vista County, their estimate from the total pop is
8 less than 200 people. However, there are 400 kids
9 in the school. Something isn't following here.

10 And please understand that I am not
11 highly critical. The Census Bureau is doing the
12 best job it can with the methodology it has. I
13 can use, here in Iowa, school enrollments to do
14 experimental estimates.

15 The Census Bureau does not have the
16 ability to do that. They have to be able to do
17 the same thing for over 3,000 counties across the
18 nation. So they use ratios based upon what the
19 counts were and the proportions were with the 1990
20 census to take those same ratios and project them
21 further and estimate them further into the 1990s.

22 They don't bring in new data about new
23 residents. They get data from the INS, but that
24 is hard to track, hard to know where those people
25 are. Our school enrollments tell us where the

1 folks are. We can tell right there. So there you
2 can see this is a pattern where the 1997 estimates
3 for Hispanics don't even meet the total school
4 kids we've got or just barely meets it.

5 Or you know, if there's that many kids,
6 there have to be more total population there,
7 because there's not enough to tell you with all
8 the parents and other folks there. So that's what
9 we have been looking at. We've gone and done
10 experimental population estimates.

11 Figure 19 focuses on minorities, which is
12 including blacks, Asian, Native Americans, and
13 Hispanics. There you can see in the black and
14 dark bars the census estimates through the
15 nineties for the minority population of Iowa.

16 The light bars are our own estimates of
17 census services that I've done at Iowa State. We
18 would now suggest we have at that point in time
19 about 175,000 minority persons in Iowa. The
20 Census Bureau would suggest about 148,000 to
21 150,000. All of that is higher than the 110,000
22 to 112,000 we had in the 1990 census. We're all
23 saying it's growing. It's just that we think it's
24 growing faster than the Bureau is tracking.

25 And on Figure 20, you see here just the

1 individual numbers for each of the different
2 minority groups. The Bureau has each group
3 growing. Our estimates -- Our experimental
4 estimates has each group growing.

5 Our estimates for Asians are a little
6 lower than the Bureau. But on the other three
7 groups, we were higher, particularly for
8 Hispanics. That's where we have the largest gap
9 between what our estimates are and what the Census
10 Bureau's estimates are. Then the first bar there
11 for all of those is the 1990 census counts.

12 So we've gone on, then, and if you turn
13 over to Figure 21, this shows the percentage
14 change that we have seen that we have estimated.
15 And again, the Bureau and our estimates are
16 changing -- showing increases -- different amounts
17 of percentages. We suggest here that the
18 Hispanics have grown about 120 percent or so since
19 the 1990 census. The Census Bureau suggests 60
20 percent.

21 So we're all showing rapid growth. It's
22 just that I think we have a lot more there. I
23 really am pretty comfortable with our experimental
24 estimates for Hispanics.

25 The next several months, though, you then

1 look at counties and the percent minority. In
2 1990, no county had in its census 10 percent
3 minority; one of them.

4 And here, then, we show on the bottom two
5 maps, showing in 1997, if we looked at the Bureau
6 estimates and then our Iowa State Census Service
7 estimates, we have many more counties involved now
8 with lesser percent that have increased their
9 percent -- many more counties are shaded in, and
10 then you can see there with our experimental
11 estimates, we would suggest even more counties
12 involved in terms of having increased people. And
13 also in more rural and smaller town communities
14 than typically we have seen in terms of the metro
15 cities.

16 The next figure just shows you the
17 numbers there in terms of the Census Bureau change
18 in Hispanics and change in percentage in numbers.

19 Then Figure 27 focuses then on the
20 increases just in our Hispanic population in terms
21 of the Census Bureau's numbers and ours.

22 As we've gone through the decades, our
23 experimental estimates get further and further
24 away from the Census Bureau's. In other words,
25 the gap is growing between what is -- In the very

1 early decades, our estimates would come out very
2 close to theirs using the school enrollment. Now,
3 that gap is growing.

4 DR. SOMMERVILLE: Ms. Burke, just a
5 minute.

6 Is Sonia Parras here? No? Then you can
7 feel free to continue.

8 MS. BURKE: Okay. So then your next set
9 of maps then -- next several figures -- show you
10 counties -- this is in terms of numbers. We're
11 not on percent now, but in terms of numbers of
12 Hispanic people.

13 First of all, starting with the 1990
14 census. And again, those counties that have large
15 numbers those are basically the places where
16 historically many Hispanic people have lived in
17 Iowa, Polk County, Sioux City area, and then
18 Muscatine, and Scott County.

19 Then we -- when we go over to the next
20 two figures of 29 and 30, you see, using whichever
21 you use -- Bureau estimates or our experimental
22 estimates -- we have many more Hispanic people in
23 Iowa, across a broader range of counties than we
24 ever had before.

25 And we now have -- I don't know how

1 many -- with using our estimates we have a number
2 of counties that have gone over 2,000. And this
3 relates specifically -- It's the places where we
4 would expect. That was one nice thing, when we do
5 experimental estimates, it comes out where you
6 think it should be.

7 It's the Storm Lake area. It's
8 Marshalltown and Tama County, and all the places
9 where we have meat packing plants or food
10 processing plants, poultry, eggs, horticulture --
11 all these types of things that have been a pool
12 factor to bring Latino workers to Iowa.

13 Okay. That basically looks at the
14 population. I want to do just a couple more
15 things. I put more in here than I was thinking I
16 would talk about so I could at least give you some
17 information you could take with you and look at.

18 As of 1990, you can see in Figure 31, the
19 median age -- meaning the middle age -- half of
20 the population is above and half is below. For
21 persons in Iowa, the white population, depending
22 on whether it's men or women, you have 32 to 35
23 years as the median age.

24 All the minority groups are only at
25 around 25 as a median age, meaning that they have

1 a much younger population; a much younger
2 population than does the white population of
3 Iowa. And how this shows up there is in Figure
4 32, we have a population pyramid.

5 And I'll tell you why it's a pyramid:
6 Each of the bars -- the women are on the right and
7 men are on the left, and each bar is a five-year
8 age group, except you get up to the top. Then
9 it's 85 and older. But the bar shows the percent
10 of the total population that is for that age and
11 sex group.

12 And there, you see the larger bars in the
13 middle are the baby boomers, and this is just for
14 the white population. You can see that as we get
15 into the older ages, women have a greater life
16 expectancy. There are more women in Iowa than
17 there are older men.

18 Turn over, then, to Figure 33. That's
19 the same population pyramid. Now, you see why.
20 It's more of a pyramid shape. That's the same
21 thing only for Hispanics in Iowa as of the 1990
22 census. All the other minority groups would look
23 very similar to the Hispanic pyramid than it
24 would -- it would be more similar to the Hispanic
25 pyramid than it would be the one for the white

1 population of Iowa.

2 So you see there very visually this large
3 youth population that there is, and that was as of
4 1990. So our sense is that the newer immigrants
5 would not have changed this in effect. It might
6 be even more bottom heavy in terms of a large
7 number of young people that are being brought
8 here -- children and so on.

9 In 1990, if we look at Figure 34, the
10 white population was 60 percent urban and 40
11 percent rural. That is different than our other
12 groups, and particularly the black population in
13 Iowa, 97 percent urban. And in fact, most in the
14 big metro counties and central cities.

15 Other groups are a little more likely to
16 be in rural areas but not nearly to the extent as
17 the white population was. We wouldn't have
18 anticipated that that would have changed too much,
19 because the communities where our immigrants are
20 going are not little, little tiny areas. They're
21 not living out on farms. They're in smaller
22 communities that would be counted still as urban.

23 Another thing: Place of birth. Next
24 figure. There you can see that the thing that
25 stands out to us most Iowans, about 80 percent of

1 the Iowans in 1990, were born in Iowa. You know,
2 there's a lot of folks who have lived in this
3 state all of their life in terms of white
4 population. Less significantly so for most of the
5 minority groups, particularly, though, for Asians
6 in 1990. A high percent -- we have 70 percent
7 there -- were foreign born.

8 Then you see there for the Hispanic
9 population a larger percentage for foreign born,
10 which now should have increased. If we would do
11 this now, when we do the census of 2000, they
12 should have a higher percentage of foreign born
13 than we did in 1990. You can look at the figure
14 in terms of high school graduation and college
15 graduation. The next two.

16 Things by race. All of the groups have
17 increased between 1980 and 1990. I've got to
18 point out: You cannot stereotype minority groups
19 as having low education because the Asians that
20 are in Iowa are very, very highly-educated
21 people.

22 And this turns out to show up in
23 occupations. I put in two things here about the
24 labor force. You always have to treat men and
25 women differently in the labor force, because we

1 still have different labor force participation
2 patterns.

3 Males are in Figure 38. Some -- for some
4 of the groups, men had higher participation in
5 1990 than in 1980. For others, it went down in
6 terms of percentage.

7 Hispanics have a very high labor force
8 participation rate, which 80 percent and
9 nationwide, that's also the case, that Latino men
10 have very high participation.

11 Women -- All of the groups, the females
12 percent participation is lower than for the men,
13 and that would still be the case. All the women
14 groups increased. Again, we see more as we're
15 going through. More women are in the labor force
16 as each decade has gone by. And in here, the
17 highest labor force participation for women in
18 Iowa is the Hispanic women.

19 When we get over to the jobs -- remember
20 the education levels -- service occupations, -
21 service jobs, are on the lower pay schedule --
22 lower pay scale wages and so on. And more women
23 nationwide and in Iowa have service jobs than do
24 men. And you can see that the percent of women in
25 service occupations is higher than for each race

1 group than it is for the men of that group.
2 However, black men and American Indian men, in
3 particular, are very high in service occupations
4 while white men are low.

5 You go to the next figure. This is kind
6 of the reverse. This is the blue-collar and
7 operator, fabricator, laborer. Again, the low pay
8 scale jobs that are more manually oriented and
9 machine operators and in factories and so on.
10 Here, nationwide and in Iowa, more men are in that
11 than there are women. And you see that for almost
12 every group. Here meat packing jobs would also be
13 in this category.

14 So here you see that I would expect even
15 if we did this for now, 1990 was a little early to
16 catch many of these new immigrant changes for
17 Iowa. Columbus Junction and that area down there
18 had a new IBP plant that was already in place
19 before the 1990 census. Most of the other
20 communities in Iowa, in terms of the Latino
21 immigration, has happened since that point in
22 time.

23 So it's -- the figures for 1990 in many
24 cases are not useful for us in terms of numbers of
25 people for the Latino population because it just

1 changed so radically. But there you see -- Now, I
2 think we have even more Hispanic -- more Hispanic
3 men there.

4 Asian men are very low, because if you go
5 to Figure 42 -- remember the education managers
6 and professionals all have educational components
7 and requirements. And there you see the high
8 proportion of particularly Asian men in Iowa that
9 are in professional occupations.

10 And then lastly at the bottom, two
11 things: Income and race. Again, relate to
12 education and then occupation. Then if you have a
13 higher paid occupation, your income will be the
14 higher, and whites had the higher median household
15 income in 1990.

16 The gap grew up between the '79 and '89
17 figures there. Whites increased -- all the groups
18 increased, but whites increased even faster, even
19 though they started out higher, there's a greater
20 gap now than there was in 1980 -- between the race
21 groups in 1989 than there was in 1979, and hence,
22 the reverse of that -- inverse, if you have lower
23 income, your poverty rates are going to be
24 higher.

25 You can see there that all the groups

1 increased in poverty level between '79 and '89,
2 and of course, the minority groups increased more
3 than the whites did.

4 And I have attached here a couple of our
5 publications from Iowa State. The first one will
6 give you the table for our experimental Hispanic
7 estimates, also showing the 1990 census counts,
8 the student enrollments. You can look those
9 figures over for yourself. And you can see there
10 the counties where things have been increased
11 dramatically.

12 Also, I have attached a report that we
13 have in your county data book that shows the other
14 groups. These are the Census Bureau's race and
15 Hispanic estimates as of 1997. And I really do
16 suggest that people just go ahead and use those in
17 terms of the Native Americans, the black
18 population, the Asians. Just use the census
19 estimates. Those are pretty good.

20 But it's the Hispanics where we feel the
21 Bureau's estimates are really not keeping up with
22 changes that we've seen.

23 So that's the population. Maybe we
24 should --

25 DR. SOMMERVILLE: Are there questions

1 regarding the population?

2 MS. MURPHY: I have one quick question.
3 On the poverty, Figure 44, that says it's '79 to
4 '89 figures. Would those hold true for the next
5 ten years?

6 MS. BURKE: You mean in terms of the
7 relationship between the groups?

8 MS. MURPHY: Yes. Things that have not
9 improved.

10 MS. BURKE: Well, the relationship --
11 Whites would still have significantly lower. As a
12 rule of thumb, I would always say to people,
13 "Minority groups have double to triple the
14 poverty rate than a white group would have,"
15 except when you get into looking at the families.

16 Female-headed families with children
17 under five or, you know, under preschool age
18 children, and there -- everybody is in poverty up
19 to about 70 percent. There's not too much worse
20 you can get. White women with families with, you
21 know, preschool children, have very, very high
22 poverty rates, along with everybody else. That's
23 one of the few exceptions.

24 But in general, take the white rate and
25 double or triple it. Then you will get that

1 equivalent group in a minority group. That will
2 be their poverty rate.

3 And I don't know if there are newer
4 estimates that suggest -- poverty rates may have
5 gone down. They have just been done for the whole
6 population as a whole, not by race group. We'll
7 have to see how that comes out next year.

8 I wouldn't anticipate that the
9 relationship between the white group and the rates
10 for the minority groups would be different. Those
11 will still be higher.

12 MR. VAN LO: One question: When you do
13 the Asian, do you lump them altogether? You don't
14 lump them as white Asian or whatever?

15 MS. BURKE: No. The Asians are put all
16 together. That's one of the things -- that's the
17 way the school district counts them. They just
18 have a category of white, black, Asian, Native
19 American, and Hispanic. So when I do my
20 estimates, I have to do it the way I can -- that
21 best conforms with that way of estimating.

22 MR. VAN LO: It is nice to see that a lot
23 of Asians have professional management jobs more
24 than anybody else, but at the same time, when I
25 compare with the salary, it looks like they are

1 not that far. What does that mean?

2 MS. BURKE: Well, I think it's a bimodal
3 distribution for education. You have a group of
4 Asians, and many -- When you look at our
5 university counties -- Johnson and Story County
6 those persons there have a very, very high level
7 of education.

8 Then you have a segment of an Asian
9 population that is low in education. It doesn't
10 always -- That shows up, I think, in your salary,
11 but when you still look at -- you still have a
12 segment of Asians in Iowa who are very, very
13 highly educated. You have a bimodal group -- See,
14 you were in the middle.

15 You have a low group and a high group.
16 Whereas, the other groups of -- like for whites,
17 you have a distribution across the whole education
18 level. But for Asians, I think it's a little more
19 bimodal; hence, the lower people there are
20 bringing that average salary down. That's my best
21 explanation.

22 MR. VAN LO: You also mean, maybe, that
23 they have their own business or whatever as
24 well. Is that --

25 MS. BURKE: Well --

1 MR. VAN LO: Small business.

2 MS. BURKE: That could be one of the
3 factors in terms of occupation. Those may not
4 have as high pay, perhaps. But many of -- well, I
5 don't know how that would compare with people in
6 the laborer jobs and meat packing jobs.

7 MR. VAN LO: My question is: Is the
8 glass ceiling still open, still there for the
9 Asians then?

10 MS. BURKE: I don't know. But we do know
11 we have in Iowa a very -- There is a segment of
12 Asian population that is very highly educated.

13 DR. SOMMERVILLE: For the record, Sonia
14 Parras is still not here.

15 MR. COULTER: Two questions: The growth
16 of the Hispanic-Latino population is 90 percent
17 over the last ten years. What proportion of that
18 which is relevant to what we're trying to look at
19 here would you attribute to immigration and with
20 respect to the other groups Asians, Americans,
21 American Indians and so forth, would you attribute
22 to immigration as opposed to higher birth rates or
23 other --

24 MS. BURKE: Largely the Latino growth is
25 people moving into Iowa. Immigration --

1 MR. COULTER: How do you determine that?
2 How --

3 MS. BURKE: We don't have births. You go
4 look at the birth records. There's just not that
5 many Latino births that would have preceded the
6 growths in these populations.

7 When you come into the schools -- if you
8 go to these counties that I had highlighted there,
9 the kids will either have -- they may not speak
10 English at all, or they have relatively low levels
11 of speaking English. So you know that these kids
12 are not coming -- they're not born here in America
13 and raised in Iowa.

14 They may be raised, but certainly a whole
15 portion of these -- when I say people moving into
16 Iowa, some of the folks -- and this is where I'm
17 drawing on my experience in Marshalltown, some of
18 the people that are coming are very new from
19 Mexico; very, very directly out of villages in
20 Mexico.

21 But a high proportion are not. A high
22 proportion do come from Texas, Colorado, and the
23 Southwest and Chicago, in general, where I see --
24 where we know people are coming from.

25 Some of those people have very good

1 English and they are U.S. citizens. They have
2 been born there. But some of these people have
3 not. They have moved to those places, and then
4 have been moving, following the jobs.

5 And when we talked to some of the new
6 residents in Marshalltown about why have they come
7 to Iowa. They say, "It's safer than California.
8 It's a nicer place to live." They don't like the
9 weather so much, but their kids are safe in
10 school, supposedly. After yesterday, we don't
11 know if any of our kids are safe.

12 It's the same reason these people are
13 moving here that you would expect to hear from an
14 Anglo population of people moving here.

15 MR. COULTER: I've done a similar
16 analysis for the Iowa Department of Education,
17 which only actually is -- I was a little puzzled
18 by that. They've only been collecting ethnic
19 breakouts since '91, '92.

20 MS. BURKE: No. They've got them clear
21 back into the eighties. I've got data from Jim
22 Gould. I've got data from him from '78, '79.

23 MR. COULTER: Well, these are on the K
24 through 12.

25 MS. BURKE: Yes. I've got them both. He

1 gave me the data. They've been collecting them a
2 very long time.

3 MR. COULTER: With that aside, what I
4 found was that regardless of whether we know --
5 which we actually don't -- which ones are
6 immigrants, which ones are not -- the educational
7 attainment by all of the groups is really pretty
8 dismal.

9 If you look over the last, say, four
10 years at the graduation rates of ninth graders,
11 they're less than 70 percent for any of the ethnic
12 groups -- African-Americans; American Indians are
13 in the low sixties, sometimes below 50 percent.
14 That's the likelihood if you're a ninth grader
15 that you're going to actually graduate.

16 When you look at the number of graduates
17 who have taken, for example, an American College
18 Testing Service or other college entrance exam,
19 you find that less than half of them have even
20 taken that. That's your basic qualification to go
21 into higher education.

22 The -- and it kind of rolls on from
23 there. What's happening with, regardless of the
24 source, there's very great growth in these
25 populations, but their educational attainment is

1 very, very low, and it is going to create -- it's
2 already creating an underclass in many of our
3 areas -- urban areas, as well as in the areas
4 where the jobs are in Storm Lake.

5 That doesn't bode well for the future of
6 Iowa, because as you also noted, the white
7 population and the total population of Iowa is
8 declining. Our future is in the --

9 MS. BURKE: We're staying the same, more
10 or less.

11 MR. COULTER: Well, not by my figures.
12 If you look at what's in the public schools and do
13 progression ratios on out, it's going down. If
14 you look at the birth rate stuff, which -- it's
15 all down as a total. But the growth is in the
16 minorities, but if they're not staying in school
17 past the ninth grade, this state is in a serious,
18 serious bind in terms of its future work force, as
19 well as the educational level of that.

20 DR. SOMMERVILLE: We have about three
21 minutes. Did you want to speak for the Diversity
22 Committee?

23 MS. BURKE: I just came from an education
24 meeting this morning in Marshalltown. We're
25 dealing specifically for the last several months

1 with the ESL programs. And it's dismaying how
2 many kids come in and they assess where their
3 English level is, but also where their grade level
4 is compared -- in their native language. I mean,
5 where are their grade levels in Spanish? Okay.
6 And in their comprehension of material in Spanish
7 and concepts, and it's very low.

8 Some of the kids will come in and, you
9 know, they should be about fifth grade, and they
10 may have a second grade level in their native
11 language, let alone, not speak English. It's a
12 very difficult problem.

13 The Diversity Committee activities of --
14 Our committee has been functioning three or four
15 years. This is the second time there was a
16 committee. The previous time there was an
17 Hispanic task force. I think it takes a while for
18 the community to recognize perhaps the changes are
19 permanent.

20 And we have been lucky in that we've had
21 good support from our city administration and many
22 people of the community, particularly the faith
23 community is a very strong supporter. And we've
24 had some controversies there in Marshalltown.

25 If I could show you -- I didn't bring

1 anything that's been written in the paper by one
2 particular person. He's very vocal against using
3 any -- he doesn't like to hear Spanish being
4 spoken on the street. So we've got some
5 controversy in Marshalltown.

6 We've tried to hold meetings and bring in
7 speakers that are relevant. We've had Jerry Hynoe
8 from the INS. We've had various people at times
9 come to town and give talks. We've had a monthly
10 meeting with a topic.

11 The main project that we've done is to
12 have organized a Marshalltown Heritage celebration
13 for the 4th of July, which we did last year. It
14 was a big success. We featured and promoted all
15 the heritages of Marshalltown, not just our new
16 Latino residents, or whatever, or we had an Asian
17 group that had come earlier; but everybody's
18 heritage in Marshalltown. And I think that's been
19 a good factor. We're doing it again this next
20 summer, but it's going to be on July 3, because
21 it's a Saturday. Our biggest thing has been
22 convincing Marshalltown that it's going to be on
23 the 3rd.

24 I also want to say that the Civil Rights
25 Commission has -- if you look at their Website,

1 they have about 20 communities across Iowa that
2 have diversity committees. The Civil Rights
3 Commission has been very supportive in terms of
4 supplying materials to us and keeping -- giving a
5 newsletter, keeping us informed of what every --
6 all these other diversity committees are doing.

7 And these committees have sprung up in
8 towns where we have a meat packing plant, where
9 you would expect and where we know the new people
10 are. It's certainly been an interesting time.

11 I'm very glad that the English-only was
12 defeated yesterday. But there is support for such
13 a measure in Iowa. I mean, you have to look at
14 the reality of it, that wouldn't have come up for
15 a vote again unless some of the legislatures
16 thought they had grounds for support, and they
17 do. You'll find it in any community. So we have
18 a lot to learn about diversity in Iowa.

19 DR. SOMMERVILLE: Thank you very much.
20 We will have our lunch break, and we will resume
21 at 1:00.

22 (Recess until 1:00 p.m.)

23
24
25