

CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE  
**California Update**

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## ***Davis Calls for Special Session to Consider Budget Reductions***

### **HEALTH AND WELFARE SERVICES AT RISK**

Governor Gray Davis has called for a special session of the state legislature to consider proposed budget reductions necessitated by the state's recent economic downturn. Consistent with nationwide trends, California's recession (rising unemployment, reduced tax revenues, and diminished returns on state investments) was accelerated by the repercussions of the September 11 events. The State Legislative Analyst's Office (LAO) predicts that California will end the 2001-02 fiscal year with a \$4.5 billion deficit. By contrast, the budget passed earlier this year assumed a \$2.6 billion surplus. According to the LAO, the state could face a \$12.4 billion shortfall in the 2002-03 budget year, and this assumes an economic recovery next spring.

On Nov. 14, 2001, the governor ordered state departments and agencies to suspend \$2 billion in spending for the current budget year (2001-02). He also released a list of proposed budget reductions to be considered by the legislature. Scheduled to run concurrently with the regular legislative session, the special session will begin in January 2002. Earlier this year, the governor asked state agencies and departments to freeze new hiring, cut operating expenses by \$150 million, and produce plans for reducing spending by 15 percent.

Despite the governor's claim that critical health and safety services were "spared," the proposed reductions would affect access to important health programs. The Expanded Access to

Primary Care (EAPC) program, for example, could lose a \$10 million increase that had been approved for the current year. EAPC, which funds the state's community clinics and health centers, provides comprehensive primary care services to medically indigent and uninsured populations in California. These crucial services, which are available without immigration restrictions,

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## **Formation of Committee on Language Access Announced**

The speaker of the California Assembly, Robert M. Herzberg (D-Van Nuys), has announced the formation of the Select Committee on Language and Access to Government. The panel, to be co-chaired by Assemblymembers Wilma Chan (D-Oakland) and Juan Vargas (D-San Diego), is charged with recommending methods of ensuring access to public agencies for persons with limited English proficiency.

According to the U.S. Census 2000 Supplemental Survey, almost 40 percent of Californians over the age of 5 speak a language other than English at home; almost 11 percent are limited English-proficient (LEP). Lack of access to services for LEP persons can have profound consequences, as illustrated by the following anecdotes:

- A Mandarin-speaking garment worker from Los Angeles filed a complaint with the state labor commissioner against her employer for back wages and overtime. Although she did not speak or read English, the state labor commissioner failed to provide translated forms or an interpreter. When her case came before an English-speaking investigating officer for a settlement conference, the worker was forced to rely upon her employer, the very person she was suing, to interpret for her.

- At a public hearing held before the San Francisco Board of Supervisors, advocates for domestic violence survivors described how language barriers frequently prevent victims from reporting crimes to law enforcement. Examples include police officers who misunderstood or failed to respond to domestic

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### ***CIWC to Launch New Newsletter in February***

After five consecutive years of reporting on benefits issues affecting California's immigrants, CALIFORNIA UPDATE will cease publication after this issue. Beginning in late February 2002, the California Immigrant Welfare Collaborative will publish a new newsletter. The new publication will continue to offer timely, informative articles presented in a redesigned format. Each issue will feature updates on latest developments in Sacramento, and news from across California and the nation. It will also have a calendar listing events of interest to service providers and advocates. For announcements about the newsletter, readers should visit CIWC's website next February, which is located at [www.nilc.org](http://www.nilc.org).

#### **THE CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE IS A JOINT PROJECT OF**

Asian Pacific American Legal Center of Southern California • Coalition for Humane Immigrant Rights of Los Angeles  
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### ***Budget Reductions*** (continued from page 1)

provide access to care for patients who otherwise would resort to emergency rooms. The governor also proposes to delay until July 2003 the implementation of coverage for parents under Healthy Families, California's State Children's Health Insurance Program (SCHIP). Although parental coverage was enacted by the legislature this year, implementation has been stalled pending a federal agency's approval of the state's waiver request.

The proposed spending reductions cover a broad array of other areas including K-12 education, environmental protection, trauma center support, and services provided under the Business Transportation and Housing Department. The governor also hopes to slash \$4.5 million for naturalization assistance. In July 2001, the governor reduced by \$500,000 the \$7 million that had been approved by the legislature for these services. He now proposes to cut the program to \$2 million and has frozen the contracts with community-based organizations. Service provid-

ers are concerned about the proposed cuts, especially given the new laws and proposals that allow only U.S. citizens to continue working in certain jobs.

Although the benefit programs for immigrants were not specifically targeted in the governor's proposals, the budget cuts could profoundly affect immigrants and other low-income communities. Advocates should monitor the hearings on the current budget, as well as the governor's proposed budget for fiscal year 2002-03 (due to be released on Jan. 10, 2002). Low-wage immigrant families, who are concentrated in the service, food, and cleaning industries, are particularly vulnerable to the recent economic changes. Advocates will need to ensure that these families do not suffer disproportionately from budget cuts.

A complete list of the governor's proposed spending reductions are available at [www.dof.ca.gov/HTML/Budget01-02/SpndReduc.pdf](http://www.dof.ca.gov/HTML/Budget01-02/SpndReduc.pdf). The Legislative Analyst's report can be downloaded at [www.lao.ca.gov/2001/fisc\\_outlook/Fiscal\\_Outlook\\_2001.pdf](http://www.lao.ca.gov/2001/fisc_outlook/Fiscal_Outlook_2001.pdf).

### ***Language Access*** (continued from page 1)

violence complaints because they could not communicate with the victim. (See also "Death in a Cell: How Sick Man Spent Final Hours in SF Jail," *San Francisco Chronicle*, Sept. 26, 2001, an article about how an elderly Chinese-speaking man died without being able to communicate with jailers.)

- Hongkham Souvannarath, a 51-year old mother of 6 who came to this country from Laos as a war refugee, was jailed for 10 months without a hearing. No charges were filed against her, and she was not provided access to a lawyer. The county had misidentified her as someone who was not properly taking her tuberculosis medicine. After her release, the county was forced to pay Souvannarath \$1.2 million in damages, a mistake that could have been easily avoided had county officials been able to communicate with her. ("Woman Jailed for TB Will Get \$1.2M," *Fresno Bee*, Apr. 5, 2001.)

- The *Orange County Register* reports that Cal-OSHA, the state agency responsible for enforcing worker safety laws, frequently fails to fully investigate workplace accidents, and even deaths, in part because it does not have sufficient bilingual staff to interview Spanish-speaking witnesses ("Understaffed Cal-OSHA Gives Fatalities Short Shrift," Oct. 20, 2001).

The Dymally-Alatorre Bilingual Services Act, a state law in effect since 1973, requires bilingual staffing and services at each state agency where five percent or more of its consumers speak a language other than English. However, a study conducted by the Bureau of State Audits in 1999 found that only two of the ten state agencies surveyed were even aware of the law's requirements; only one agency was in compliance with the law. During the last two years, the state has allocated additional resources to the State Personnel Board (SPB) to monitor compliance with the law and to make recommendations to the legislature. The SPB published a report, which concluded that the lack of an enforcement mechanism prevents full implementation of the act. The report, "Language Access in State Departments, April 2001," is available at [www.spb.ca.gov](http://www.spb.ca.gov).

Speaker Hertzberg, who formed the Select Committee, emphasized the need to better serve California's increasingly diverse population. "The demographic trends present an important chal-

lenge to policymakers," he said. "We must make every effort to ensure people who speak little English, or no English at all, can obtain important services. Until today, state government has failed to meet this challenge. We've done a good job of making sure government *looks like* all Californians. Now, the Select Committee will develop a plan to ensure government works *for* all Californians."

The Select Committee plans to develop proposals to improve access to government for LEP persons. The panel will examine options, including the development of a centralized unit to provide bilingual services, and measures to strengthen the enforcement mechanisms and other features of the Dymally-Alatorre Act. The committee likely will hold hearings in the Bay Area and Los Angeles during the spring of 2002. Advocates wishing to provide input to the committee should document the consequences of denying access to services, as well as model policies for ensuring access for persons with limited English proficiency.

In addition to Speaker Hertzberg and co-chairs Chan and Vargas, the Assembly Select Committee includes the following Assemblymembers: Elaine Alquist (D-Santa Clara), Judy Chu (D-Monterey Park), Manny Diaz (D-San Jose), Marco Firebaugh (D-East Los Angeles), Abel Maldonado (R-Santa Maria), Jenny Oropeza (D-Long Beach), Robert Pacheco (R-Walnut), and Anthony Pescetti (R-Rancho Cordova).

The Select Committee will coordinate its activities with Sen. Martha Escutia (D-Montebello) as well as other state senators who are interested in pursuing this issue. Escutia's bill, SB 987, which would improve the administration of and strengthen the mechanisms for enforcing the Dymally-Alatorre Bilingual Services Act, is pending in the Assembly. For more information on the Select Committee and the activities of the California Language Access Coalition, advocates may contact Ted Wang, Chinese for Affirmative Action, at [twang@caasf.org](mailto:twang@caasf.org), or Rini Chakraborty, California Immigrant Welfare Collaborative, at [chakraborty@nilc.org](mailto:chakraborty@nilc.org).

*(The anecdotes recounted in this article were collected by Chinese for Affirmative Action, on behalf of the California Language Access Coalition.)*