

From the YakimaHerald.com Online News.

Published on Monday, April 28, 2008

Mattawa program a matter of interpretation

In the wake of a federal investigation, Mattawa officials have signed on to improving access for people who aren't proficient in English.

by Pat Muir

Yakima Herald-Republic



KRIS HOLLAND/Yakima Herald-Republic Clerk Maybeline Pantileon, who is bilingual, processes a customer's municipal bill at Mattawa's Town Hall. Mattawa recently agreed to provide more translators as required by the Civil Rights Act.

A U.S. Justice Department investigation of Mattawa that forced the town to provide more bilingual translators can be seen as a lesson or a warning for other municipalities with Spanish-speaking residents -- either way it's likely a bellwether.

Last month, Mattawa officials signed an agreement with the Department of Justice outlining ways the town will improve access to people who aren't proficient in English. It was touted as the first of its kind in Washington state.

There's reason to believe it won't be the last.

"We're very similar to Bridgeport and Brewster and Mabton and many of the smaller communities in Lower Valley Yakima," Mattawa Mayor Judy Esser said. "And it will be interesting to see if those communities will go through the same process."

Part of the Civil Rights Act, bolstered in 2000 by an executive order, mandates interpretation and translation be made available for people who aren't English-proficient. That means all city services, including law enforcement, must be available in Spanish in places that have a high percentage of monolingual Spanish speakers.

For years, there were rumblings that such access wasn't available in Mattawa. At a 2006 state Commission on Hispanic Affairs meeting held in the town, a group of women called Entre Mujeres (Between Women) testified about long waits and general disinterest when

they called 9-1-1 or when they went to local police. But it took a botched domestic violence investigation and the resulting complaint to the Department of Justice for change to take place.

Now, Latino activists are hoping other local jurisdictions will take notice and make changes where necessary.

Mattawa, a Grant County farming town of about 3,200 people, is predominantly Latino. According to the 2000 U.S. Census, 90 percent of residents speak Spanish at home and about 70 percent speak English "less than very well."

Mabton, a Yakima County farming town of about 2,000, is not that different. Seventy-nine percent of its residents speak Spanish at home, and about 38 percent say they speak English "less than very well."

Other Yakima County towns -- from 83,000-resident Yakima to 500-resident Harrah -- have the same conditions to varying degrees. The question, then, is whether those municipalities might find themselves the subject of Civil Rights Act complaints like the one that spurred the Justice Department to investigate Mattawa.

Maria Salazar, the Northwest regional vice president of the League of United Latin American Citizens, believes there are other places in Eastern Washington where monolingual Spanish speakers are being short-changed on their right to access government.

"But you don't often have, in the Hispanic community, advocates that they can trust and talk to," said Salazar, whose group provides support and advocacy on Latino-justice issues. "That is definitely something we would look at if those cases were brought to us. I think Mattawa is not the only community that has that sort of situation occur."

In Mattawa, the issue received federal attention after attorneys with the Northwest Justice Project filed a complaint following a bizarre domestic violence case.

In 2005, according to the complaint, police lost contact with a domestic violence suspect after letting him leave to go find a Spanish interpreter. He never came back. But even if he had returned with a bilingual neighbor by his side, any statement given to police through that neighbor would have had questionable evidentiary value, said Judith Lurie, a senior Northwest Justice Project attorney.

The agreement Mattawa and the federal government reached last month seeks to correct that. It outlines, in writing, a series of steps the town must take, including keeping a roster of on-call interpreters for police to use at any hour.

Mattawa officials expect it will cost the town about \$4,000 this year, which Esser said is unfair because the federal government won't chip in to cover it. But she believes the added interpreting and translating services ultimately will be good for the town,

especially from a law-enforcement perspective. She's not entirely sure why it took a federal investigation to spur the change.

"I really don't know how to answer that," Esser said. "I think we probably were looking at the cost. We did have some interpreters who were helping the police department, but to the Department of Justice that wasn't enough."

The Northwest Justice Project hopes there won't even need to be any more such investigations. The hope is that other towns will look at Mattawa and develop language-access plans before a complaint even comes up, Lurie said.

"You don't need to go through what Mattawa went through, hopefully," she said.

Lurie doesn't know whether there are other Yakima Valley towns that require the scrutiny of the Justice Department. It's not the Northwest Justice Project mission to stir that up, she said.

"We're not looking around for towns to do this in," Lurie said. "We respond to complaints."

But if there are such complaints, it's entirely possible they'll gain the same sort of traction, said Joaquin Avila, a visiting law professor at Seattle University and former president of the Mexican-American Legal Defense and Education Fund (MALDEF).

The Justice Department over the past two years investigated Sunnyside's City Council elections for compliance with the Voting Rights Act, and in 2004 it pushed Yakima County to create bilingual ballots. Those actions, combined with the Mattawa investigation, suggests the Department of Justice is "taking an interest in Eastern Washington."

"Clearly someone up there is watching things in this Eastern Washington area," Avila said. "If I were a jurisdiction in that area I would certainly be attuned to that."

** Pat Muir can be reached at 577-7693 or pmuir@yakimaherald.com.*