

# Prop. 187 ruling stirs emotions

## Approval, condemnation are voiced after key part of law is struck down

By Michael Winters  
Bee staff writer

The passions that surrounded Proposition 187 last year surfaced again this week after a judge struck down large parts of the hugely popular law.

"Wrong, wrong, wrong," Sen. Dick Monteith insisted. "It's the courts making laws. The feds didn't take responsibility for protecting our border to begin with, and now they take away our ability to deal with the problem."

Proposition 187 authors last year argued that, in a state with deep economic troubles, the measure would keep crucial education, health and welfare resources away from foreign free-loaders.

"I don't know why we should run a social and medical program for Mexico," Monteith said Tuesday.

On the other hand, many education, health care, religion and social services professionals call the law a money-loser in the long run and a cruel blow to people who come to California to

do the dirtiest work.

Julie Saugstad called the law unconstitutional last year when, as the League of Women Voters president in Modesto, she urged voters to reject it. She applauded the judge's ruling.

"It's better for all of society if people with tuberculosis can get treated, if people can get their schooling, whether legal or illegal," Saugstad said. "In the long run it will save us financially."

Since 59 percent of California voters approved the law a year ago, most of it has languished. Pending lawsuits to overturn it have led to temporary court orders suspending it.

But Monday's ruling concludes one major lawsuit by declaring much of the law unconstitutional. The U.S. District judge in Los Angeles ruled authorities may not check the immigration status of applicants at schools and health and welfare centers.

Irene Westbury is relieved. She had little taste for the provision that would have forced her to turn in battered women who

could not prove their legal status at the Haven Women's Center of Stanislaus, where she is executive director. "The Constitutional protection for women and children has been upheld," she said.

Under Proposition 187, every patient would have been a suspect at Golden Valley Health Centers, a network of 13 low-cost clinics in Merced and Stanislaus counties, clinics director Mike Sullivan said.

He called illegal immigration a problem, but labeled Proposition 187 a recipe for more paperwork and poorer health in the San Joaquin Valley.

"I don't think we need to mix immigration policy with the delivery of education and health care," Sullivan said.

Stanislaus County Superintendent of Schools Martin Petersen called the judge's ruling a win for children.

But Proposition 187 supporters said the ruling throws open the door for all the world's children to siphon off California's wealth.

"It's not fair to the people of

California to educate the people of the world who come here illegally," Tuolumne County Supervisor Ken Marks said.

Stanislaus County Supervisor Tom Mayfield summed the problem up as, "too many judges making too many decisions."

A few on both sides already saw Monday's action as just a chapter in a parade of rulings before the courts sort out the final shape of Proposition 187.

"Many or most of the elements of 187 will become issues for the U.S. Supreme Court," said Patterson City Councilman Mike Petrie, an early supporter.

Gloria Sandoval of the Equal Rights Congress in Merced took only brief comfort in the setback for a law she disdains. Whatever the law's fate, its success has set in motion anti-immigrant measures in other states and in the Congress, she said.

"What makes me sick is that instead of finding true solutions for people," Sandoval said, "they've been accelerating the politics of blame."

Metro

# Clinic use drops after Prop. 187

By MICHAEL WINTERS  
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Eight days after its approval, Proposition 187 largely remains law on paper only. Yet the first hints of its impact are surfacing in medical clinics and schools.

At least one in five patients has stayed away from prenatal appointments or other care at the West Modesto Medical Clinic since the election, said Gloria Mata, a licensed vocational nurse.

"They're afraid they're going to be deported, that immigration is going to be waiting for them," she said.

Elsewhere, clinics reported short-term reductions in visits after the election. Schools, however, re-



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ported little change in attendance.

Ken Schroeder, part of the migrant education staff at Johansen High School in Modesto, said an effort by teachers and administrators to reassure students regardless of their immigration status seems to have worked.

Many Hispanic students remain upset over what they call a racist measure, but they are going to school, Schroeder said.

Voters adopted Proposition 187 Nov. 8 by a wide margin. The measure denies public education, most medical care and social services to illegal immigrants. It obliges workers who provide those services to report suspected illegal immigrants.

The day after the election, Gov. Wilson made it clear he will work to implement as much of the program as he can as soon as he can. He issued an order to immediately end prenatal care and new admissions to nursing homes for illegal immigrants.

"That's just the kind of spirit I think is unnecessary," said Michael Sullivan, director of the West Modesto Medical Clinic and nine others in Modesto, Merced, Los Banos, Planada, Patterson and Dos Palos.

The Merced Family Health Centers, administrator of the 10 clinics, has gotten no directions from Medi-Cal or other agencies on how to put Proposition 187

into practice, Sullivan said. And despite Wilson's mandate, workers are not quizzing patients on their status.

"We're not reporting, and we don't intend to," Mata insisted.

Proposition 187 calls on school districts to review the documents of new students starting in January and to expel those who cannot show they are legal residents.

But the California Teachers Association told members it might be years before the courts sort out the form Proposition 187 will really take. At least eight lawsuits were filed the day after the election.

A San Francisco Superior Court judge, acting on a lawsuit filed on behalf of school districts, temporarily barred expulsions from schools, colleges and universities.

"We just don't care what Prop. 187 says," reads a CTA flier intended to assure parents and students that their teachers have not become immigration agents.

Wilson, when he issued his post-election order on health care for illegal immigrants, said his action will free up money to benefit legal residents.

But the independent state Legislative Analyst noted Proposition 187 could generate higher long-term costs if reduced health care leads to more low birth-weight infants, children without immunizations and patients who use emergency rooms instead of clinics.