



Paul
Harasim

Putting breaks on bad proposition

THE MAN WHO made it impossible for Californians to do now what they want to do — deny illegal immigrant children public education — sits in his Houston law office and smiles as he talks about the recording career of his wife, Norma Montiel.

She is, Isaias Torres says, looking at his wife's picture on her *Secrets of the Heart* cassette, a wonderful singer, a woman with considerable talent who needs just the right break and she'll be known both inside and outside the Spanish-speaking world.

"The entertainment business is very, very tough," he says.

Trying to get one of the country's most influential civil rights attorneys to talk about himself is also very, very tough.

If he was a self-promoter, the 42-year-old New Braunfels native would have already been on every major news program in the country.

When you read a story that says backers of Proposition 187 want to force a review of a 1982 U.S. Supreme Court ruling that illegal immigrant children cannot be denied public education, remember this: The ruling was made on a case Torres brought to the high court.

Incredibly, he was only 27 when he and a team of lawyers from Houston, Tyler and Los Angeles won the case *In Re: Alien Children Education Litigation, the Supreme Court*.

The case took up so much of his time and resources that the phone and electricity were cut off in the garage apartment where he lived with his wife and two children.

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Children in need

He was the man who filed the first alien education suits to hit federal court. His motivation? Seeing kids barred from Houston schools while playmates attended.

He reasoned that if the United States exploited illegal Mexican labor — businessmen admitted undocumented immigrants were mainstays in the economy — then the country ought to be sensitive to the harm done to laborers' children and subsequently to the community.

The court issued a two-part ruling. All nine justices found for the first time that undocumented immigrants are covered by the section of the 14th Amendment that reads: "Nor shall any state . . . deny to any person within its jurisdiction the equal protection of the law."

The justices then ruled 5-4 that education for children is part of 14th Amendment protection.

Torres knows a review of the 1982 Supreme Court decision by the current high court could result in a far different ruling.

The conservative makeup of the court makes it unlikely that 14th Amendment protection would be applied so broadly.

That undoubtedly has much to do with why Torres, who met two weeks ago with the closest advisers to Mexican President-elect Ernesto Zedillo, is pushing hard behind the scenes for a bilateral agreement between the U.S. and Mexico on a guest worker program.

"It could stop the social upheaval we're already seeing," said Torres, a former member of President Clinton's transition team.

Streamlining

He believes a streamlined process should be finalized where U.S. employers who need workers are identified, as are laborers who want to come to the U.S. to work. One-year work permits would be issued.

"It's my experience in immigration law Mexicans would rather be here legally and then go back home," he said. "They bring their families because it's so much hassle to go across the border."

Torres stresses that what he calls the "unilateral agreement worked out by the U.S. toward Mexico in the '40s and '50s" cannot be duplicated. He said the Mexican workers imported during labor shortages were then badly taken advantage of.

"We were going in the right direction with NAFTA," Torres says. "If we're friends with our neighbors to the south, everybody wins."