

MS. PERALES: Latino Task Force plaintiffs call Joe

6 Bernal.

7 (Witness enters)

8 THE CLERK: Would you please raise your right hand,
9 sir?

10 (The oath was administered)

11 JOE BERNAL, PLAINTIFF'S WITNESS, SWORN

12 DIRECT EXAMINATION

13 BY MS. PERALES:

14 Q. Good afternoon, Senator Bernal.

15 A. Good afternoon.

16 Q. Could you please state your name for the record?

17 A. Joe J. Bernal.

18 Q. And where do you live?

19 A. In San Antonio, Texas.

20 Q. And how long have you lived in San Antonio?

21 A. Eighty-four years.

22 Q. Where were you born?

23 A. In San Antonio.

24 Q. And so you've spent your whole life in San Antonio?

25 A. Something like that, yeah.

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United States Court Reporter

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1 Q. Very quickly. Tell me a little bit about your background,
2 or what neighborhood did you grow up in?

3 A. Deep west side San Antonio on South Patricio. It doesn't
4 exist anymore.

5 Q. What sort of house did you live in, let's say, during your
6 early teen years?

7 A. Three, four-room house, frame house.
8 Q. And what was the housing like on your block?
9 A. Substandard by everything that I've read.
10 Q. What was the racial composition of the schools that you
11 attended?
12 A. J.T. Brackenridge on Brazos and Guadalupe, a hundred
13 percent Mexicano, Lanier High School, junior high school,
14 likewise about 98 percent pure -- pure Mexican.
15 Q. What high school did you go to?
16 A. Lanier, Sidney Lanier.
17 Q. What did your parents do for a living?
18 A. My father was a laborer with the railroads when he lived.
19 He died when I was 11.
20 Q. And did you work when you were a young kid?
21 A. Oh, yeah.
22 Q. What did you do?
23 A. Shined shoes, unload trucks coming to the market, sold
24 candy in a neighborhood -- Progreso Theater.
25 Q. And after high school, what did you do?

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1 A. I got a scholarship under the federal program, went to
2 Texas Tech for a semester and to New Mexico for a semester. I
3 was supposed to be an engineer. And then I came home and
4 registered to go into World War II in 1940 -- '44 or '45, '45.
5 Q. And so did you go overseas with the military?
6 A. Yes. I spent most of my time overseas.
7 Q. What was it like when you returned?
8 A. Same as when I left, unfortunately, as far as I didn't see

9 much change. But within a couple of months I was registered to
10 go to college.

11 Q. And tell me very briefly, what was the treatment of
12 Mexican-Americans when you were growing up and when you were a
13 young person?

14 A. Well, in San Antonio, south -- the south side had a hot
15 springs swimming pool, and we weren't allowed there. I
16 remember going and saying -- there were about five of us that
17 went, and I never forgot it. You and you can come in, but not
18 you and you and you. And they were basically pointing out skin
19 color. The lighter ones could come in, but the darker ones
20 couldn't.

21 And then if we went to the north side of San
22 Antonio, which was Woodlawn at that time, and I'm talking about
23 1940s, there was no reason that you couldn't go in, except that
24 there was a lot of name calling and you could be assured of
25 getting into a fight, that they would pick on you because they

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1 didn't want you back in there.

2 Q. Did you see segregated restaurants when you were a young
3 person?

4 A. Not in San Antonio, no.

5 I worked -- I worked at Guadalupe Community Center
6 with kids for some time during the time that I was going to
7 college. And I guess the worst experience that I ever had was
8 taking some kids to Landa Park in New Braunfels and walking
9 into a restaurant. And all these kids, I'd say about 20 of
10 them that I was taking, asked me, are we being discriminated?

11 Because we couldn't eat in the front of the restaurant. And I
12 said yes, you are. Do you want to leave? We can't eat here.
13 But they offered us food in the back. And this is in New
14 Braunfels in 1945, '46. And they said, are we being
15 discriminated? I said, yes, you are.

16 And when I was at Tech in this special program
17 that I went to, Roy Barrera and George San Miguel and myself
18 were swimming with a group of students that we were enrolled in
19 Texas Tech. And we were an unusual group, but we went swimming
20 at the swimming pool that was city owned in Lubbock. And it
21 had a fence all the way around.

22 And we were swimming, and some guys reached over
23 and said, in Spanish, you speak Spanish? Oh, yeah, yeah. How
24 come they let you in? I said, what do you mean, why come they
25 let you in? They let us in. He says, we're not supposed to

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1 come in except on Thursday. And it really -- I wasn't stupid,
2 but naive maybe. I says, why Thursday? He said, that's when
3 they open -- that's when -- after you swim on Thursday, that's
4 when they empty the pools and clean it out for the weekend. I
5 never forgot that.

6 Q. When you were at Lanier, tell me about the ribbons they
7 would hand out.

8 A. Oh, every Monday, I said that -- I've often said that I
9 was with the La Pelache Corps because we were the cops on the
10 beat for the student council. And we would issue ribbons to
11 all the students. And the ribbons said, I'm an American, I
12 speak English. And being part of the student council, if you

13 caught people speaking Spanish, you were to take his ribbon
14 away from him. So we were the cops on the beat. And we would
15 do that. We weren't liked for it. But if you caught somebody
16 speaking Spanish, you could take the ribbon away from them,
17 turn it into their English teacher, and they would get demerits
18 for speaking Spanish on the grounds. It was under the no
19 Spanish rule.

20 Q. Did you complete college?

21 A. Oh, yes.

22 Q. What other degrees did you get?

23 A. Minor graduate at Trinity, my masters degree at Our Lady
24 of the Lake, and my Ph.D. at the University of Texas in Austin.

25 Q. And were you elected to office?

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1 A. Yes. I was elected to office in 1960 -- '64. A group of
2 businessmen from the west side in San Antonio asked me to run
3 with a -- with a group of people that were running. I had no
4 reason to want to run. I have always -- I had always enjoyed
5 reading about politics and being involved at the local level
6 and political things that interested me. But I never saw
7 myself as a candidate. And they asked me to run. And I said,
8 I don't have any money, and I don't have any reason to want to
9 run. He says, but we need you.

10 So I ran on the ticket with five other people --
11 six other people, two Hispanics and five Anglos. And I was the
12 only one that won. And that threw me into the public area, and
13 I became a state representative in '64.

14 In '65, after -- after the one man, one vote and

15 all that kind of stuff that happened, we ended up with two
16 senate districts in Bexar County, one on the west side and one
17 on the east side. Prior to that, we only had one senator cover
18 the entire county. And I ran on a -- what was the west side
19 district, District 26, which is District 26 now. And I won.

20 (Change of reporters at 5:11 p.m.)

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2 Q. And did you ever pay a poll tax?

3 A. Oh, yes. Yes. That was '75, sure. I grew up with that.
4 Well, after I became 21, that I could vote, yeah. We paid
5 \$1.75 for it, and one of the -- one of the bills that I had --
6 and this is before the feds did the job, I had introduced a
7 bill to do away with the poll tax, but the federal level took
8 care of that, and the Senate gave me the opportunity -- well,
9 I mean, at that time, I was in the Senate. They gave me the
10 opportunity to run a resolution to endorse the federal change.

11 Q. And do you recall ever engaging in annual reregistration
12 for voters?

13 A. Well, that was one way of keeping people from voting, I
14 felt, and we went through that change when I was in the -- I
15 didn't create that change. I didn't propose that change, but
16 we acted on it and voted on it to change the yearly

17 registration.

18 I did have one, one bill that helped on that, but,
19 basically, we would register every year. No poll tax, but we
20 would have to register every year to be able to vote, no
21 permanent voter registration. And there were a lot of
22 organizations that were pushing for permanent voter
23 registration and the legislature was able to pass it.

24 Q. Now, is the west side of San Antonio still Latino?

25 A. Very much so, yes.

Karl H. Myers, CSR, RMR, CRR - (210) 212-8114

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1 Q. And is the south side of San Antonio still Latino?

2 A. It wasn't then. Not during my time in high school, in
3 junior high school. We had more fights in sports with
4 southsiders than we had with the northsiders, but they used to
5 call us all kinds of names, because we used to beat them in
6 basketball all the time. I didn't play basketball, but --

7 Q. But today, how is the south side?

8 A. Today, we have expanded our west side into the southwest
9 side, the northwest side and the west side.

10 Q. How would you compare the west side and the south side to
11 Alamo Heights?

12 A. I made a comparison between Edgewood in a paper for my
13 master's degree, comparing the income supporting Edgewood, and
14 the income, because it is based -- locally, it is based on
15 property values.

16 Locally, it is based on -- if you want to support
17 your school district, it is how much money you can get from
18 taxing your local -- your local property owners, besides what
19 the State offers, and the comparison was just awful.

20 I mean, I won't go into any details, except that
21 there was a big difference between how much money, when you
22 raised taxes in Edgewood, the small amount of money compared
23 to the amount of money that you could raise for raising the
24 tax in Alamo Heights. The difference was just great.

25 Q. And who had the financial advantage there?

Karl H. Myers, CSR, RMR, CRR - (210) 212-8114

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1 A. Alamo Heights, certainly, because they had more expensive
2 homes, more expensive businesses. Edgewood didn't have a lot
3 of businesses and their homes averaged out at about \$20,000 at
4 that time. You could buy a house in Edgewood for 20,000. You
5 couldn't buy a house in Alamo Heights for \$20,000. It would
6 be 120,000.

7 Q. And just for the record, you said you lived on the west
8 side?

9 A. It is part of the -- when they had urban renewal in San
10 Antonio downtown, a lot of the people were pushed towards the
11 west, and it created -- it created what used to be -- Edgewood
12 wasn't a Mexicano district. It was more for the farmers who
13 lived out there, but because of the urban -- used to call it
14 urban removal. A lot of the poor people that lived close to
15 downtown were removed, and they ended up out in Edgewood, and
16 they built low-income housing, and that became Edgewood.

17 Q. How well do you know the southeast Austin area?

18 A. Well, I lived in Austin for eight years that I served in
19 the legislature, and I have known a lot of people. That
20 doesn't mean out of Austin. There are a lot of comparable
21 things that I would notice going to Austin and living there
22 and eating there and staying and going to different functions

23 in east Austin with some of my friends, elected officials from
24 the Austin area. There are a lot of similarities.

25 Q. Were there similarities in the quality of housing?

Karl H. Myers, CSR, RMR, CRR - (210) 212-8114

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1 A. Perhaps not as bad, because I was able to see in San
2 Antonio and to live in the type of housing in San Antonio
3 during my lifetime. But, yes, you know, just looking at it,
4 from an outsider's viewpoint, from traveling around east
5 Austin, the similarities, no yards in the front, big fences,
6 enclosures, and plants in the front, no yard, no green grass
7 that you could mow. Yes, those similarities, they were
8 obvious.

9 Q. And what about in terms of people's economic situation?
10 Would you see similarities between southeast Austin and the
11 south side, west side of San Antonio in their economic
12 situation?

13 A. Well, just knowing and talking to people in Austin, I
14 would say that they have the same problems we had. Whatever
15 jobs they could get were the jobs that paid less, because they
16 were not as educated, just like we were in San Antonio. We
17 didn't have the educational level that other communities had,
18 where they could get a better job because they were better
19 educated, whatever.

20 Q. Now, I don't know if you can see the map very well there.
21 That is a portion of a congressional proposed district, with a
22 district that runs from the south side, west side of San
23 Antonio to southeast Austin.

24 Would you say that those two areas have enough in
25 common to be combined in a congressional district?

1 A. Well, what I know about Austin is what I know about west
2 side San Antonio, south side San Antonio. There is a lot of
3 commonality of interests, yes. Yes, very definitely.

4 Q. And in terms of Alamo Heights, which we discussed a moment
5 ago -- can you put C-185 up for me, please, in the same area?

6 With respect to Alamo Heights, which is in the State's adopted
7 congressional plan, connected in congressional District 21 to
8 the Barton Springs area of Austin, on the west side of I-35,
9 would you say that people on the south side and west side of
10 San Antonio have more in common with people in Southeast
11 Austin than they do with people in Alamo Heights?

12 A. Sure. In fact, one of the things that got me out of
13 office was the fact that they wanted to stick Alamo Heights in
14 my district, and in that same area that I recognize very well,
15 it doesn't fit the west side or the east side, as far as
16 commonality of interests with what I see in Austin, on the
17 east side of Austin.

18 MS. PERALES: Thank you. I pass the witness.

19 MR. MATTAX: No questions.