

# PNP drops Failon case; NBI takes over probe

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wife Trinidad Arceche-Etong would now be handled by the NBI. Puno said the National Police Commission (Napolcom) had decided to transfer the investigation from the Quezon City Police District (QCPD) to the NBI to pave the way for an impartial investigation.

The QCPD had filed charges of obstruction of justice against Failon, his driver Glen Polan, houseboy Pacifico Apacible, nanny Wilfreda Bollester, housemaid Carlita Morbos, and Trinidad's sister Pamela Arceche.

QCPD investigators said the house helpers cleaned the bathroom where Trinidad was found while the driver cleaned the Mitsubishi Pajero that was used to transport the victim to the hospital. The house helpers claimed that they cleaned the crime scene on their own and not on Failon's orders.

Investigators said Failon might have obstructed justice when he gave limited details to the authorities and refused to surrender his mobile phone.

### QCPD probes suspended

Puno also said six Quezon City police officers were put on preventive suspension for allegedly using excessive force in arresting suspects in connection with the Failon case.

Superintendent Franklin Moises Mabanag, chief of the QCPD-Criminal Investigation and Detection Unit; Superintendent Gerardo Ratuaita, Senior Inspector Roberto Razon, Senior Police Officer 3 Jose Fernando, PO2 Andy Salonga, and PO2 Reno Riparip were placed on a 30-day preventive suspension.

The Napolcom would investigate Mabanag and Ratuaita, while the PNP Internal Affairs Office had placed Razon, Salonga and Riparip under investigation for alleged violation of police operational procedure and provisions of existing laws.

Puno said the suspension of the six QCPD policemen would "ensure that the investigation will be conducted thoroughly and without pressure from anyone."

Mabanag denied that there was any irregularity in the charges of obstruction of justice filed against the respondents and the arrest

made by the QCPD. Puno said these actions are being taken to assure the public that the investigation will be fair and conducted in a professional manner.

At the same time, Puno said the PNP would conduct refresher courses for all police inspectors to re-familiarize them with Police Operating Procedures and all aspects of the law pertaining to police investigation.

Puno said this series of moves undertaken by the Napolcom and the PNP are in line with the moral transformation program of the police organization led by PNP chief Director General Jesus Verzosa.

Justice Secretary Raul Gonzalez said Puno requested him to let the NBI investigate the Failon case after the police investigation was "tainted by reason of reaction of certain of groups."

He lamented how the investigation of police "has been shrouded with issues like police abuse."

Gonzalez has ordered NBI Director Nestor Mantaring and investigators from the agency's Special Task

Force led by Arnel Dalumpines to concentrate on angles of suicide or parricide.

Gonzalez admitted that he believes that the parties in the case who have the means are capable of covering up.

He also lamented the suspension of the QCPD investigators.

He also dismissed as a "wild presumption" the allegation that the QCPD operatives involved in the probe on the shooting of Failon's wife were retaliating for ABS-CBN's coverage of the shooting of carjackers along EDSA in Quezon City earlier this year.

Mantaring said the NBI would only investigate Trinidad's death, and would not touch on the investigation of the alleged mishandling by the police of the suspects.

Metro Manila police director Chief Superintendent Roberto Rosales welcomed the turn over of the case to the NBI.

"I welcome the move of Sec. Puno. We would be submitting the results of our investigation to the NBI," said Rosales when asked to comment on the Interior secretary's action. ■

# Bill approved to prohibit businesses from barring non-English speaking patrons

## Senator Yee passes bill in response to discriminatory policy proposed by the LPGA

SACRAMENTO—The California Senate approved legislation that would prohibit businesses from denying service to a patron because of the language he or she speaks. Specifically, the bill adds "language" to the list of protections in the state's civil rights act, which prohibits discrimination within business establishments.

While speaking one's native language is protected in cases of employment and housing under state law, such protections are not currently extended to consumers.

The Unruh Civil Rights Act prohibits discrimination within business establishments, generally to protect patrons from not receiving service. SB 242, authored by Senator Leland Yee (D-San Francisco/San Mateo), would add the use of any language to the list of the Act's protections, which currently includes sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, and sexual orientation.

"No one should be discriminated against simply for speaking their language," said

Yee. "All patrons, English speaking and non-English speaking, deserve to be served. SB 242 will rightfully add language to the list of protected classes within California's civil rights act."

The issue stems from a proposed policy announced last summer by the Ladies Professional Golf Association (LPGA) to suspend players who do not speak English. Despite there being no relevance to the sport, the LPGA claimed that it was important for players to be able to interact with American media and event sponsors. Ironically, many of the sponsors are international companies and a number of the tournaments are not held in the United States. No other professional sports league in the United States has such a mandate.

The LPGA later rescinded the proposal after objections from Senator Yee and over 50 civil rights organizations.

"It is quite disheartening that in the 21st century any organization would think such a policy is acceptable," said Yee. "With the pas-

sage of SB 242 such discriminatory mandates will not only be unfair, but illegal."

Under SB 242, it would be a violation of state law for an entity to adopt or enforce a policy that limits or prohibits the use of any language in a business establishment, unless the language restriction is justified by a business necessity and notification has been provided of the circumstances at the time when the language restriction is required and of the consequences.

A business necessity would be defined as "an overriding legitimate business purpose for which all of the following are true: the language restriction is necessary to the safe and efficient operation of the business; the language restriction effectively fulfills the business purpose it is supposed to serve; and an alternative practice to the language restriction that would accomplish the business purpose equally well with a lesser discriminatory impact does not exist."

SB 242 will now be considered by the State Assembly. ■

# Illegal immigrants having more kids in US

## They're nearly twice as likely to live in poverty, study says

WASHINGTON—Growing numbers of children of illegal immigrants are being born in the United States, and they are nearly twice as likely to live in poverty than those with American-born parents, a report says.

The study released by the Pew Hispanic Center highlights a growing dilemma in the immigration debate: Illegal immigrants' children born in the US are American citizens, yet they struggle in poverty and uncertainty along with parents who fear deportation, toil largely in low-wage jobs and face layoffs in an ailing economy.

The analysis by Pew, a nonpartisan research organization, found that estimated 11.9 million illegal immigrants made up 5.4 percent of the US work force, primarily in lower-paying farming, construction or janitorial work.

Roughly three out of four of their children—or 4 million—

were born in the US. In 2003, 2.7 million children of illegal immigrants were born in this country.

Overall, illegal immigrants' children account for one of every 15 students in kindergarten through 12th grade.

Illegal immigrants also have become more geographically dispersed, increasingly passing up typical destinations like California in favor of jobs in newly emerging Hispanic areas in southeastern states like Georgia and North Carolina.

In 2008, California had the most illegal immigrants at 2.7 million, double its 1990 number, followed by Texas, Florida, New York and New Jersey. Still, California's 22 percent share of the nation's illegal immigrant population was a marked drop-off from its 42 percent share in 1990.

The latest demographic snapshot comes as President Barack Obama is preparing to address the politically sensitive

issue of immigration reform later this year, including a proposal to give illegal immigrants a path to citizenship.

Though their numbers have soared over the past two decades, the total number of illegal immigrants in the US has declined or remained flat in the last couple of years. Demographers attribute that to slower rates of migration into the US caused in part by the recession, as well as to deportations and stepped-up immigration enforcement during the Bush administration.

### Among the findings:

- One-third of the children of illegal immigrants live in poverty, nearly double the rate for children of US-born parents.

- Illegal immigrants' share of low-wage jobs has grown in recent years, from 10 percent of construction jobs in 2003 to 17 percent in 2008. They also make up 25 percent of workers in farming and 19 percent in

building maintenance.

- The 2007 median household income of illegal immigrants was \$36,000, compared with \$50,000 for US-born residents.

- About 47 percent of illegal immigrant households have children, compared with 21 percent for US-born residents and 35 percent for legal immigrants.

- About 59 percent of illegal immigrants, or 7 million, came from Mexico. Other regions included Asia (11 percent), Central America (11 percent), South America (7 percent), the Caribbean (4 percent) and the Middle East (2 percent).

Earlier this year, the Homeland Security Department's inspector general found that more than 100,000 parents of US citizens were deported over the decade ending in 2007, prompting the department to say it would gather more information about families before deporting immigrants. (AP)



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