Declaration of Jose Cortez

J 9-12-03

1. My name is José Cortez. I was born in ~~Colorado~~ Mexico in ~~1950~~ 1947 and raised in Colorado. I come from a big, Mexican family. When I was born, my family members were all migrant farmworkers. We survived by chasing the harvests around the southwest and working for whatever wages the farmers were willing to pay. We worked, we got paid, we bought our food, and there was no money left, so we went right back to work at the next opportunity. Survival was hard work, and we lived hand to mouth. In 1962, we moved from Northern Colorado to a poor, Mexican neighborhood at 21st Avenue and Lincoln in Phoenix, Arizona.

2. Life in southwest Phoenix was completely different than what I was accustomed to in the rural farming areas we had lived in before. In Phoenix, I felt like I was suddenly placed in new, hostile world with dangers and challenges hidden all around and just waiting to jump out at me. As a young boy, it took every bit of intelligence, wit, courage, strength, and luck I had to keep myself safe. If you didn't know how to adapt, you just didn't make it in the neighborhood.

3. The first thing I had to adapt to was the police. Being from outside the urban world, I was naive about a lot of things when I first got to Phoenix. I thought the police were the good guys and that their job was to keep my family, my friends, my neighborhood, and me safe. Arriving in Phoenix and seeing how the police acted toward people with brown skin was a rude awakening. The police weren't good guys; they were mean, dangerous men, who took their anger out on people who looked like my family and me. It shocked me to see this as a boy and to see people react as if this was just an everyday part of life. In Phoenix, what I saw was that the police were truly there to terrorize anyone who looked poor and Mexican.

4. I'm not exaggerating. We lived under siege from the police. I never knew what racism was until I moved to Phoenix and saw the way the police treated Mexicans. It was absolutely routine for the police to drive through the neighborhood and beat us down even though we had committed no crime at all. After living a short while in Phoenix, just seeing a police car made my heart stop because I had seen the police beat up so many people for an offense I had no choice but to commit every day – being Mexican. Any time I saw the police, I knew they might do the same to me. I learned that the best thing to do was to avoid the police whenever I saw them making sweeps through our neighborhood. It was dangerous to run away, like my instincts told me to, because they'd chase me, catch me and beat me down. I learned to walk away casually or hold my ground innocently and non-threateningly so that I wouldn't give the police a reason to attack me. I saw that the police hated me for looking like I did and living where I did, and I knew that they had the power to do whatever they wanted to me with impunity. As Mexicans, we had no recourse. It was like we lived under occupation.

5. It was a daily occurrence for the police to come through and harass whomever they found in our neighborhood. If they just called us "wetback," "beaner," "taco vendor," "international surfer," or "spic," it was a lucky day. Suffering verbal assaults from the police was like getting off with a warning for being Mexican. More often, though, they would stop us for having too many of us gathered together in one place, or for being out too late, or if they wanted to search us for drugs, or if they thought we were a gang. If the police stopped us, it was a given that they were going to beat the daylights out of us. That was just part of life. On one of their sweeps through the neighborhood, they stopped a friend of mine and beat him with their clubs until they literally broke his back. There was nothing we could do about it but try to avoid the police and, when we couldn't avoid them, hope that they didn't take things too far. In

those days, there was no recourse when the police took it too far.

6. Not that it's that much better now. Even today, any time you, as a Mexican, are stopped by the police, you have to pray that it's an officer who believes in cultural diversity. It's not like you can count on your civil rights being respected by the police unless someone is videotaping you.

7. The police weren't the only thing I had to adapt to when I came to Phoenix. In our neighborhood, the kids knew the street life, and they were ready to take advantage of you if you didn't follow the rules. There were unwritten rules about how we had to act when we were alone, when we were with friends, and when we were around strangers. We had to dress a certain way and walk a certain way. Even the way we talked was different than what I knew before I came to Phoenix. I had to learn a whole new lingo when I got there. As a young Mexican male, you had two choices: you could adapt this way or you could stay home and make cookies with the girls. There was no in-between.

8. Pride was at the heart of much of what went on the streets. We were poor and we didn't have much of what life offered to others. We took pride in ourselves, in our families, and in our neighborhood. We didn't have anything else, so pride, neighborhood, and family were the things we held dear.

9. You could see this in the way we presented ourselves. When we left our house, we made sure we were looking good. Our clothes were ironed. Our shoes were shined. We tied bandanas around our heads just above our eyes. It all had to be just right, and together, this regalia was our uniform. Every little fold and crease of clothes had to be perfect. It was a way of expressing our pride in who we were not just as individuals, but also as a community. Lord help you if you went out with scuffs on your shoes, or a wrinkle in your pants. It meant

that you didn't take pride in yourself, and that was a big weakness in the neighborhood. You'd get teased without mercy for coming outside not looking right. If you were a newcomer or a young kid, it would be so bad you probably wouldn't make the mistake again, because the consequences were severe and you had very little recourse. You could try to stick up for yourself, but you didn't have a leg to stand on because you had already violated the first rule – pride and respect. You could turn around and go back inside, but if you did, you weren't standing up for yourself. Either way, you had already shown that you didn't respect yourself and your neighborhood and your friends, and it was more than likely you would end up in a fight because of it.

10. We learned to be loyal to our community and to respect our group. Coming out with your clothes not right made the rest of us look bad. If someone from another neighborhood saw you, it looked like you didn't respect your neighborhood, so it reflected badly on all of us. According to the rules of the community, the simple fact that you didn't get your uniform right showed that the rest of us didn't respect ourselves. It made us look weak, and for kids who were struggling to find something to take pride in, there was nothing worse than looking weak. We were all poor Mexican kids and we literally had nothing but our pride and our neighborhood. Any threats to either were taken seriously.

11. Of course it reflected just as badly on you and on your neighborhood if you weren't looking right when you went to other neighborhoods in southwest Phoenix. And even if you did look right, you were likely to get challenged just for setting foot in another neighborhood. You had to earn the right to wear the uniform the right way. You also had to have the courage to display your uniform and confront whatever threats came your way as a result. Without that courage, you didn't even have your pride.

12. Fortunately, this was all before gangs and guns and drugs took over the streets of southwest Phoenix. When I was a youngster, all the confrontations we had were settled with our fists. Sometimes you won, and sometimes you lost, but the important thing was to face the challenge. It was a lot safer to face it in those days because nobody was killing each other. You might pick up some scrapes and bruises, but that was it.

13. The street drugs also got a lot worse over the years. When I was growing up the only drugs I ever saw anyone use were marijuana and alcohol. In later years, I heard about people on heroin, and in the seventies, you started to see a lot of kids sniffing paint. As an older guy, I could see the damage it was doing to the younger kids. They were losing their minds, doing stupid things, and getting into trouble with the law. So many young guys got into their worst trouble when they were high on paint.

14. One thing that was the same in my day was the fact that the police assumed that any young Mexican man was a gang member and a criminal. They didn't call it racial profiling back in those days, but that's exactly what it was. I think the police could tell that somehow we had found a way to create pride for ourselves, and they wanted to take that away from us. The police were looking for any reason to put us in our place, and one of their favorite reasons was drinking in public. The charge always sounded strange to us back then. To us, the spaces outside our homes weren't public places. They were our neighborhood, our community. The police always searched for a way to treat us like criminals, but the truth is that few of us were. We were just poor kids in a poor neighborhood living on scraps and trying to find a way to take pride in ourselves. We were doing what we had to do to survive.

15. Of course, I know today that drinking alcohol, whether you're in public or not, has nothing to do with survival, but the reality of my life was different during my youth. In

those days, that lifestyle was the only option that claimed me. You can't underestimate the despair and hopelessness that surrounded us in our neighborhood back then. You could feel them in the air. They were constant. We were children born like any other children with ideas and talents and hopes and dreams, but we were corralled into a desolate place that didn't nurture the good inside us and slowly but surely eroded our ideas, our talents, and our hopes. Life in southwest Phoenix made our childhood dreams more and more remote from the reality of our lives.

16. Families in our neighborhood struggled to survive. Most of us lived in tiny houses that were really more like shacks, where you, as a child, saw how hard your parents struggled to make ends meet, and where privacy was a luxury you never bothered to imagine; you were just glad to have a place to lay your head. My family was typical: we squeezed all eight of us into a cramped, little two-room shack. This was the rule, not the exception.

17. The parents in our neighborhood had a tough job. There were so many threats and dangers for a kid, parents had to make sure their kids were safe, that they got an education, and that they stayed out of trouble and away from the police. These were the crucial things a parent had to do if he wanted to give his kids a chance to make it out of that environment. In our neighborhood, taking care of these essentials was as important as feeding your children, clothing them, and telling them to look both ways. Unfortunately, with so few economic opportunities available to the poor Mexican parents in our neighborhood, just putting food on the table and keeping the landlord away took all of a parent's time. A lot of kids were left to face the dangers of the streets on their own. Kids in our neighborhood looked out at a world that hated them and was determined to destroy them, and most kids faced that world without the benefit of a parent who had the time to teach them to value their future. It was a

recipe for disaster.

18. If we wanted something, even something as simple as candy, we couldn't just go ask our mom for the money for it. We had to find the money ourselves. Like a lot of kids back then, my friends and I went out to scrape up money when we wanted things. The most popular way was to go shine shoes at The Deuce, which was where Bank One Ballpark is today. We worked hard out there to get a few cents for extra things.

19. We didn't have the luxuries that many other kids took for granted. We didn't have Boy Scouts and little league, or fishing and camping trips. These things were for other kids, not for us. Our view of the world was narrowed by the limited opportunities available to us. As a kid, I didn't even know what going to a baseball game was all about. We grew up with a whole different set of values. What we valued were the only things we had – our pride and our neighborhood.

20. Another thing kids in my neighborhood couldn't take for granted was a father. I think single mothers ran more than half of the homes in our neighborhood. To make things worse, many of the fathers who did come around were just drunks who didn't contribute anything to the households but instability and more debts. There were so many families I knew where the mother worked all day to put food on the table and all the father did was come around and drink. It's no wonder so many of my friends ended up being alcoholics. They weren't taught any other way to handle the hopelessness and the relentless despair of a life in poverty.

21. It's easy to see the financial impact of the fact that there were so few fathers in our neighborhood, but the most devastating effect that it had came in consequences that you can't count in dollars and cents. It's one thing to be a poor kid in a poor neighborhood, but if you have parents who love you and take care of you, they can give you something that money

can't buy. They can give you a foundation of inner strength and self-respect. Now that I'm a father myself, I realize the power fathers have in this world. I also understand the desperation, frustration, and emptiness of a child who never had a father put his hand on his head and say, "Son, I love you," or "Son, I'm going to teach you something." Not having a father made kids much more vulnerable to the poverty, hopelessness, and other dangers we already faced growing up in our neighborhood.

22. We couldn't take our education for granted either. Ours parents, like all parents, wanted better things for their children, and many of them knew that education was the key to a better life. But when you're struggling uphill to provide your family with food and shelter, education becomes a luxury. In our neighborhood, our parents' concern was putting food on the table, and unfortunately, meeting this need took all their time. Our parents didn't grow up with PTA meetings, or little league, or back-to-school night. They didn't grow up with their parents helping them do homework or making sure they got good grades or asking them what happened in school today. Our parents believed in education as a concept, but they didn't have the know-how or the time to reinforce all the extra things that facilitate a solid education.

23. Another problem was that the schools in our neighborhood had a narrow view of what we, as young Mexican children, could achieve in this world. The schools almost never encouraged us to pursue anything but construction and auto repair. When this is all the schools tell you you can do, you start to believe it after a while. Even if you know that you're smart and you have the capacity to do anything, you feel the limitations and low expectations that the world has for you. Even though you could do something more with yourself, you feel that no one will give you the chance, so why bother even trying? The police, the brutality, the racism, and the lack of guidance and economic opportunity are all telling you to give up, so when

the schools do it too, it's like a knockout punch. Our teachers and counselors didn't tell us about college and never encouraged us to dream of all the possibilities that were out there. It was the opposite. With all the low expectations we faced throughout our education, we were conditioned to believe that college was beyond our grasp.

24. In fact, we were conditioned to believe that anything other than the poverty and bleakness of our neighborhoods was beyond us. It was devastating. Of the kids I grew up with, about ninety percent ended up being alcoholics, drug addicts, overdose victims, in prison, dead, or doing whatever low-paying, unstable job they can find from month to month. It's sad to think that only ten percent of us went on to get an education and defy the low expectations and lack of opportunities that shaped our lives as children. There was so much talent, creativity, and intelligence in the neighborhoods we survived in. I knew kids who could have gone on to work for NASA or become scientists or renowned artists. It makes me sad to think of all the youthful talent that life in our neighborhood extinguished. The fact that so few of us were able to transcend the old neighborhood is testimony to the stifling hopelessness it unleashed on its children every day.

25. I consider myself lucky that I've been able to escape the lives that swallowed up so many of my friends. Like them, I started drinking too much when I was still very young. I was well on the path to a wasted life, and I knew it, but I didn't see any options around me. Drinking was one of the few ways kids like me had been taught to escape the unfortunate realities around us. But one day I woke up late and hungover. I got up and looked at myself in the mirror, and I just hated what I saw. I was a young man wasting my days in the exact same way everyone around me was. I knew there had to be something more to life. It was truly an awakening for me. Slowly, I began to see that there was a different person inside me –

someone talented, creative, smart, and caring. This person was hidden by my teachers' expectations, and the police's beatings, and the poverty and despair that I'd been surrounded by my whole life. I realized that I had suppressed my true self in my desperation and frustration. I never lost sight of this truth again, nor of how lucky I was to have discovered it in the same dismal place in which so many of my friends lost themselves.

26. I always felt that I was blessed with the ability to express myself in English and in Spanish, and I decided to turn that gift into something that would help the kids who were growing up like I did. I went on to study radio broadcasting and later I developed Phoenix's first bilingual radio program with messages aimed at helping kids like the ones I grew up with. I've worked in this field for over twenty years now, long enough to have the children of my first listeners call in to talk to me, just as their parents did. It has given my life the kind of purpose that is lacking to so many people, both rich and poor. I feel tremendously fortunate that I've been given the opportunity to make even a small difference in people's lives.

27. I just wish I could have done more to help kids survive the hostilities they faced in southwest Phoenix. It's true that some kids made it out. But for every kid who left the neighborhood and made something of his life, there were ten who were devoured by the

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hopelessness there.

28. In 1986 and 1987, I was living and working here in Phoenix. Many people in southwest Phoenix knew me and knew how to find me since I had a community affairs program on the radio. Unfortunately, I was never contacted by Sam Lopez's lawyer when Sam had his trial. If someone had come to me and told me about Sam and about how describing life in our neighborhood could have helped a jury understand Sam, I certainly would have told them all what it was like growing up there. Our neighborhood was a place that simply devoured children.

I declare under penalty of perjury under the laws of the United States and Arizona that the foregoing is true and correct. Signed in Phoenix, Arizona this __ day of Sept. 12 __, 2003.

José Cortez