

Court OKs official English

BY JAMES CARROLL

Which states have adopted English as their official language?

Organizations that support establishing English as the official language of the United States gained a victory in late April when the U.S. Supreme Court ruled in the case of *Alexander, et al. v. Sandoval*.

In the case, Martha Sandoval, a Mexican immigrant who spoke very limited English, sued the Alabama Department of Public Safety in 1996 after she was unable to take a driver's license test because it was offered only in English. The state cited a 1990 amendment to Alabama's constitution establishing English as the official language to justify why it did not offer the test in Spanish.

The Alabama Department of Public Safety, headed by James Alexander, does make special provisions for illiterate, deaf and disabled people who take the test, but it does not allow non-English speaking people to use a translation dictionary.

Alleging a violation of Title VI of the Civil Rights Act of 1964, Sandoval filed a federal class-action suit against the Alabama Department of Public Safety in December 1996. This section prohibits discrimination by recipients of federal money, and the Alabama Department of Public Safety receives several million dollars in federal funds a year.

A federal court in Alabama sided with Sandoval, and the 11th Circuit Court of Appeals upheld this decision in November 1999. After these decisions, Alabama Attorney General Bill Pryor petitioned the U.S. Supreme Court to hear the case. The state argued that the driver's exam rules did not intentionally discriminate against anyone based on race, color or national origin as prohibited by the Civil Rights Act. The state said an individual could not sue it over a federal regulation as a matter of states' rights. The high court agreed, saying private individuals cannot sue over state rules they consider discriminatory.

The U.S. Supreme Court ruled 5-4 in favor of Alexander and the Alabama Department of Public Safety on April 24. The ruling not only decided this case, but also lent support to the trend toward states adopting English as their official language.



A U.S. Supreme Court decision may give impetus to official English laws.

Currently, 26 states have adopted "official English" laws. The states are Alabama, Alaska, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, South Carolina, South Dakota, Tennessee, Utah, Virginia and Wyoming.

The trend toward adopting an official language is relatively new. Of the states having such laws, 21 passed the law after 1980. Three other states enacted the laws in the past half-century: Illinois passed the law in 1969, Massachusetts in 1975 and Hawaii in 1978. The two with the oldest official English laws are Nebraska (1920) and Louisiana (1811 as a condition of statehood).

Two of the most recent official English laws came about through ballot initiatives. In 1998, Alaskan voters overwhelmingly (68

percent) supported the adoption of English as the official language. Likewise, last November in Utah more than 67 percent of voters supported the initiative.

The count of states with such laws would be higher, but Arizona's State Supreme Court overturned its official English amendment in 1998.

Twelve states offer driver's license exams only in English. These states are Alabama, Alaska, Hawaii, Kansas, Maine, Mississippi, New Hampshire, North Dakota, South Dakota, Tennessee, West Virginia and Wyoming. Although the rule in Hawaii is to offer the exam only in English, individual counties may offer them in other languages. Nine more states offer the exam only in English and Spanish.

Across the country, driver's license exams are offered in an average of six to seven languages per state. California offers the test in 30 languages, including Arabic, Hmong, Laotian and Punjabi. Eleven other states offer the test in more than 10 languages, including Connecticut (15), Kentucky (17), Massachusetts (25), Michigan (20), Missouri (11), New Jersey (15), New York (23), Ohio (17), Rhode Island (19), South Carolina (12) and Wisconsin (11).

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