

Tapes Erased — But By Whom?

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A state Justice Department investigator has concluded that tapes of the April meeting of the state Board of Education contained mysterious erasures and had been "tampered with" — but was unable to determine by whom.

The tapes included the board's heated discussion of new regulations for bilingual education in California public schools. Board officials say the lack of a complete record may mean the regulations, which were approved, cannot go into effect.

In a two-page summary presented to the board during its regular monthly meeting in Sacramento Thursday, investigator H. Richard Shipp concluded that the tapes of the April 8-9 meeting — which were locked in the transcriber's office at the state Department of Education April 10 — were tampered with sometime during the weekend of April 11-12.

Shipp said 10 employees who had keys to the state board office were interviewed, as well as employees who may have worked that weekend

and "several employees of the Bilingual Education Unit" of the state Education Department.

"No information or evidence has been uncovered that would identify the person(s) responsible for the tape tampering," Shipp concluded. He said several more interviews will be conducted but did not elaborate.

In addition to the tape erasures, file material from the desk of Ellis Bowman, the board's special assistant, "may have been disturbed," according to Shipp's memo. A Justice Department examination of material from Bowman's office, however, yielded only Bowman's fingerprints.

And, according to the memo, board secretary Vivian Linfor said her notes concerning a specific portion of one of the tapes "can no longer be located."

Linfor also said there were no erasures on the tapes, which she was in the process of transcribing April 10, when she left the office and locked it that evening.

Furthermore, Shipp noted, Linfor's transcribing equipment "does not have erasure or recording capability."

In addition to several lengthy erasures on two tapes, Shipp said several segments were transposed from one tape to another.

"The transposing of conversations from one tape to another necessitates the use of two separate recording devices," Shipp said. "Therefore, it would appear that the transposing was deliberate and not accidental."

According to witness accounts, Shipp said, the erasures and transpositions "did not occur when the tapes were recorded by Photo and Sound Co. or when duplicated by the (education) department's audiovisual unit on Monday, April 13."

The bilingual regulations adopted by the board at the April meeting were strongly opposed by board member Lorenza Calvillo Schmidt, who at that time was the board's only Hispanic member (Gov. Brown has since appointed two more Hispanic members to the 10-member board). Schmidt said the new regulations allow the placement of bilingual students in English-only classes before they are ready to make that transition.