

DOCUMENT RESUME

ED 062 061

RC 006 093

TITLE Political Participation of Mexican Americans in California. A Report of the California State Advisory Committee to the United States Commission on Civil Rights.

INSTITUTION California State Advisory Committee to the United States Commission on Civil Rights.

SPONS AGENCY Commission on Civil Rights, Washington, D.C.

PUB DATE Aug 71

NOTE 94p.

EDRS PRICE MF-\$0.65 HC-\$3.29

DESCRIPTORS *Citizen Participation; Government Role; *Legislators; *Mexican Americans; *Political Influences; Public Officials; Racism; Rural Areas; Urban Areas; *Voting Rights

IDENTIFIERS California

ABSTRACT

The California State Advisory Committee to the U.S. Commission on Civil Rights met on January 21-22, 1971, to discuss the political participation of Mexican Americans. This paper presents the committee's discussion and recommendations. Matters that are pertinent to the participation of Mexican Americans in the Political life of California are discussed. These matters include the issue of reapportionment and its effect on the Mexican American community, voter rights, influence in major political parties, political use of police and the courts, political appointments, and Mexican American political problems in both rural and urban areas. Political racism in California is also examined. The appendix includes letters to the State Assembly and State Senate and corresponding replies, a table carrying numbers of Spanish-surname votes (in 1 district) in the 1970 Democratic congressional primary election, and a discussion of Mexican American participation in California government. (NQ)

[REDACTED]

[REDACTED]

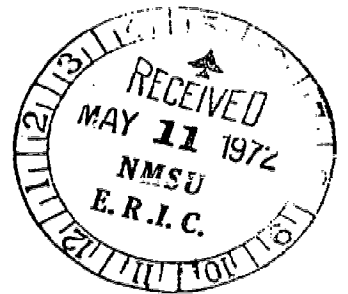
[REDACTED]

[REDACTED]

CALIFORNIA STATE ADVISORY COMMITTEE

TO THE

UNITED STATES COMMISSION ON CIVIL RIGHTS



Herman Sillas, Jr. - CHAIRMAN

Hon. Robert J. Drewes - VICE CHAIRMAN (Northern Subcommittee)

Stephen Reinhardt - VICE CHAIRMAN (Southern Subcommittee)

Hon. William T. Bagley
San Rafael

Daniel L. Fernandez
Los Angeles

Rabbi Morton A. Bauman
Tarzana

Fred W. Gabourie
Sherman Oaks

William L. Becker
San Francisco

(Mrs.) Aileen C. Hernandez
San Francisco

Rev. Henry J. Casso
Los Angeles

Harold W. Horowitz
Los Angeles

Ruben E. Dominguez
San Jose

William T. King
Los Angeles

Hon. Mervyn M. Dymally
Los Angeles

Mrs. Carl Kuchman
Sacramento

Mark F. Ferber
Berkeley

Alpha L. Montgomery
San Diego

Howard N. Nemerovski
San Francisco

PREFACE

The United States Commission on Civil Rights

The United States Commission on Civil Rights is an independent, bipartisan, factfinding agency of the executive branch of the Federal Government created by the Civil Rights Act of 1957. By the terms of that act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and Congress; receive reports, suggestions and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission upon matters which the State Committee has studied; assist the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any public hearing or conference which the Commission may hold within the State.

This report is submitted to the United States Commission on Civil Rights by the California State Advisory Committee. The conclusions and recommendations are based upon the Advisory Committee's evaluation of information gathered by its members as a result of its investigation and a public open meeting conducted on the subject "Political Participation of Mexican Americans in California" in Sacramento, California, on January 21-22, 1971. It also takes into consideration the investigation conducted at its request by members of the Commission's Western Regional Field Office and the Commission's Office of General Counsel. The findings and recommendations included in this report will be considered by the Commission in its report and recommendations to the President and the Congress.

TABLE OF CONTENTS

INTRODUCTION.....1

POLITICAL RACISM IN CALIFORNIA.....3

COMMITTEE'S ANALYSIS AND RECOMMENDATIONS

 I. Reapportionment.....8

 II. Voting Rights.....13

 III. Appointment of Mexican Americans to Positions
 in Government.....15

 IV. Major Political Parties and the Mexican
 American.....19

 V. Representation in Los Angeles and Other
 Urban Areas.....21

SUMMARY OF PROCEEDINGS OF OPEN MEETING

 Reapportionment.....24

 Voting Rights.....36

 Appointment of Mexican Americans to Positions in
 Government.....48

 Major Political Parties and the Mexican American.....52

 Representation in Los Angeles and Other Urban Areas...58

 Mexican American Political Representation in Small
 Communities and Rural Areas..... 68

APPENDICES

 Appendix A SAC Letter to California State Assembly...73

 Appendix B Reply from California State Assembly.....75

 Appendix C SAC Letter to California State Senate.....77

 Appendix D Reply from California State Senate.....79

 Appendix E Spanish Surname Votes in the Democratic
 Congressional Primary Election in
 California 29th District.....81

 Appendix F Participation of Mexican Americans
 in California Government.....82

INTRODUCTION

On January 21 and 22, 1971, the California State Advisory Committee to the United States Commission on Civil Rights conducted a public open meeting on the subject: "Political Participation of Mexican Americans".

The meeting was held in the State Capitol Building in Sacramento two weeks after the California Legislature began its 1971 session. Key members of the State Senate and Assembly were available for appearances before the Committee to discuss what was destined to be a major issue in the Legislature this year: the redrawing of the state's Assembly, Senate and United States Congressional district lines.

California has two United States Senators, 40 State Senators, 80 Assemblymen, and had, until the 1970 U. S. Census increased their number by five, 38 U. S. Congressmen.

One of the Committee's principal concerns was why only three elected State and Federal level representatives out of 160 are Mexican American.*

The Committee heard statements from 42 persons, including four State Senators, three State Assemblymen, and California's Secretary of State. Also appearing were officials from Mexican American organizations located throughout the State, municipal officeholders, students, community representatives, and attorneys from such organizations as the Mexican American Legal Defense and Educational Fund (MALDEF and California

*--These are United States Congressman Edward R. Roybal, 30th District, Los Angeles County; State Assemblyman Alex Garcia, 40th District, Los Angeles County; and State Assemblyman Peter Chacon, newly-elected in Diego County's 79th District.

Rural Legal Assistance (CRLA). Written statements were received from one of California's United States Senators and from one of its Congressmen.

In addition to the issue of reapportionment and its effect on the Mexican American community, presentations were made on other matters pertinent to the participation of Mexican Americans in the political life of California. These included voter rights, Mexican American influence in major political parties, political use of police and the courts, political appointments and specific Mexican American political problems in both rural and urban areas.

POLITICAL RACISM IN CALIFORNIA

To begin to comprehend the acute problem which confronts the Mexican American in California's political life today, one must first realize that the racism which infests all of our other institutions is very much a part of the State's political system, as well.

While it is not a generally accepted public belief that the Mexican American community is victimized by racist attitudes to the degree that other minorities are, the Committee found that racism has been a major factor in denying the Mexican American access to our political and governmental institutions in California today.

The Committee found much evidence that the legislature, the State administration, and administrations at all levels of government in California have chosen to accept this condition rather than mobilize our society to combat it.

For many years, in spite of large and continually growing numbers in California, the Mexican Americans have been conspicuously absent from governmental positions in this State. This has been true at all levels of government: municipal, county, State, and Federal (in those instances where federal officials work within the boundaries of California).

This has also been true of both elective and appointive offices.

Mexican Americans have not been successful in seeking election to public office; nor have the non-Mexican Americans who were winners at the

polls appointed Mexican Americans to the many, important non-elective posts which they control, or otherwise involved them in the decision-making processes of government.

Before the State's second Mexican American Assemblyman was elected in November 1970, there were only two Mexican Americans among California's 160 elected representatives serving in the State Assembly, State Senate, U. S. Senate and U. S. House of Representatives--a minuscule 1.25 percent in a state with between 12-15 percent Mexican American population.

These were some of the surface signs that the Mexican American was not being afforded an opportunity to share in the political experience and the political rewards of government in this State at any level.

Last year, the California State Advisory Committee to the United States Commission on Civil Rights began receiving an increasing number of complaints in support of this contention--complaints alleging that Mexican Americans are victims of deliberate discriminatory practices ranging from gerrymandering of districts to unconstitutional election procedures.

To gain a historical perspective on the problem, one must look all the way back to the signing of the Treaty of Guadalupe Hidalgo (the treaty guaranteeing full citizenship rights to Mexicans who remained in the conquered Southwest following the United States victory in the brief Mexican War) in 1848. One of the first acts of the new California Legislature then was the adoption of a foreign miners' license tax aimed specifically at eliminating the competition of Mexican miners. Historians record that this was followed by physical attacks on Mexican miners and the lynching and murder of many Mexicans in California's Gold Rush territory, causing most of the Mexican miners to abandon their claims and flee to the south.

California's first constitutional convention set the pattern for the exclusion of Mexican Americans from the political process, according to historian Carey McWilliams, who wrote in his text, "North From Mexico," that none of the convention's 48 delegates was "Mexican."

"The ease and swiftness of the victory over Mexico and the conquest of California had bred in the Americans a measureless contempt for all things Mexican," he wrote:

McWilliams continued:

Above all, it is important to remember that Mexicans are a 'conquered' people in the Southwest, a people whose culture has been under incessant attack for many years, and whose character and achievements, as a people, have been consistently disparaged. Apart from the physical violence, conquered and conqueror have continued to be competitors for land and jobs and power, parties to a constant economic conflict which has found expression in litigation, dispossessions, hotly contested elections, and mutual disparagement which inevitably accompanies a situation of this kind. Throughout the struggle, the Anglo-Americans have possessed every advantage: in numbers and wealth, arms and machines. Having been subjected, first to a brutal physical attack, and then to a long process of economic attrition, it is not surprising that so many Mexicans should show evidence of spiritual defeatism which so often arises when a cultural minority is annexed to an alien culture and way of life. More is involved, in situations of this kind, than the defeat of individual ambitions, for the victims also suffer from the defeat of their culture and of the society of which they are a part.

The Committee study showed that many of the methods used in the past to exclude Mexican Americans from political participation in California were strikingly similar to those used to exclude blacks from political participation in the South.

Many, in fact, were the same: tests based on education and literacy, gerrymandering of voting districts to minimize minority representation, intimidation, and, on occasion, murder.

While the South had its poll taxes and grandfather clauses to discourage the black voter, California had its English-language voting requirements and threats of deportation to discourage the Mexican American voter.

Another, more insidious weapon which works to discourage Mexican Americans from running for political office, or more certainly from emerging victorious on election day, is the weapon of racist caricature.

In a recent paper on "Advertising and the Mexican American Consumer," Dr. Donald L. Carter, a Los Angeles advertising agency executive and professor at the University of Southern California, wrote:

"The image is a schizoid one. On one hand, the mass media, books, cinema, television and even the elementary school textbooks portray Mexicans as benign, shiftless, sweet, peasant-type people who are devout and trustworthy; but other portrayals in the organs of the mass media depict the Mexicans as villainous characters with shifty eyes and criminal proclivities."

One speaker, Ed Cano of the United States Department of Health, Education and Welfare, offered the Committee the following version of what happens when a non-Mexican American voter is faced with the choice between a Spanish surnamed candidate and one with an Anglo-Saxon surname:

"Imagine the pictures that flash in the voter's mind:
'Jones, hmmmmmm'--positive--' intelligent, witty,
respectable, competent. He will protect my interests.
Responsible, has credibility and connections, politically
astute, sophisticated.'

'Lopez'--no hesitation--'lazy, incompetent, is using ethnic
background to gain acceptance, not relying on personal
qualifications, irresponsible, militant, couldn't possibly
protect my interests, not too smart.'

Automatically, almost reflexively, Citizen X punches the
card next to the incumbent Mr. Jones. He walks out
thinking he has contributed to the 'best of all
possible worlds.' And once again, the door to political
participation for the Lopezes of California--indeed,
the nation--is summarily and irrevocably shut.

COMMITTEE'S ANALYSIS AND RECOMMENDATIONS

I. Reapportionment

Mexican Americans, who number between 2 1/2 and 3 million persons in California, represent between 12-15 percent of the State's total population; yet, they hold less than two percent of the State's elective offices in the United States Congress and the State Legislature.

Out of 40 State Senators, none are Mexican American.

Out of 80 State Assemblymen, two--one of them newly elected--are Mexican American.

Out of 40 Congressional representatives--38 Congressmen and two U. S. Senators--one is Mexican American.

More than half of the 42 speakers at the State Advisory Committee meeting offered comment on the subject of reapportionment. Whether they were legislators, attorneys, or representatives of Mexican American organizations, they agreed on one vital point:

The Mexican American in California has been gerrymandered out of any real chance to elect his own representatives to the State Legislature or the United States Congress in a proportion approaching his percentage of the state population.

Former Assembly Speaker Jess Unruh, who was prominent in the Assembly when the redistricting took place during the 1960's states:

"Reapportionments are designed by incumbents, for incumbents, as a service to incumbents."

With California's legislators, dividing and conquering Mexican Americans has become a reflexive act of self-preservation. To allow Mexican Americans to vote in community blocs would be to invite self-defeat at the polls. And, as State Senator Mervyn Dymally, chairman of the Senate Elections and Reapportionment Committee, explained:

"No incumbent wants to preside over his own death."

Most of the legislators agreed that this reapportionment year would hold no happy surprises for the Mexican American community. State Senator H. L. Richardson's commented that, "I predict that after reapportionment this time, the Mexican American will be little better off than he is right now." Richardson is a member of the Senate Reapportionment Committee, and at that time, was chairman of the Senate Republican Caucus.

Comments from other State Senators and Assemblymen were either equally negative or evasive.

The State Advisory Committee sees the California State Legislature, with its power to reapportion, as a self-perpetuating body which will continue to exclude those who are not in it.

Most damning in the eyes of the Committee, was the legislators' apparent lack of serious concern about gerrymandering and their apparent unwillingness to take the necessary action to eliminate this insidious form of discrimination.

Their acceptance of gerrymandering based on racism is both immoral and illegal.

It leads the Committee to the inevitable conclusion that unless public opinion in California is marshalled to cause a complete reversal of the present attitude of legislators, or unless the courts order a fair and just reapportionment, there is no hope that Mexican Americans will be afforded fair representation for at least the next decade.

We should also note that in California, the Governor shares responsibility for reapportionment with the legislature. Governor Reagan was invited to appear before the Committee, but failed to do so. Nor, despite our invitation, did he send a representative.

The Committee is concerned at the degree of racism which is directed at the Mexican American in California, and it is doubly concerned that the actions taken by California's State legislators have continued to reflect the racism in their communities rather than the statesmanship and leadership which is essential if the overall problem of racism is to be resolved.

Instead of dealing with this racism, the legislators have accepted and benefitted from it.

As a result, California has by far the worst record in the Southwest with regard to Mexican American legislative representation.

"Texas, whose reputation for repression of and discrimination against Chicanos is well known, has ten times as many Assemblymen and twice as many Congressmen," Mario Obledo, executive director of the Mexican American Legal Defense and Educational Fund (MALDEF), told the Committee, adding: "New Mexico has a history of Mexican American senators and governors. Arizona's recent election saw a Mexican American as the Democratic Party's candidate for governor."

The Committee further concludes that the recent disruptions within the Mexican American community can be attributed in part to that community's lack of political representation. The community has no elected official who can speak out in complete candor on the problems and issues facing it. No major elected official in California--whether Mexican American or otherwise--has more than a 30 percent Mexican American constituency. For a present incumbent with a 20-30 percent Mexican American constituency to give voice to the true aspirations and concerns of the Mexican American community would be to invite defeat at the hands of his Anglo constituency, for it is the Anglo majority that is his real master.

There are no immediate or simple solutions for Mexican Americans seeking political office in California today. By placing its own selfish interests ahead of the political rights of California's Mexican Americans, the State legislature has compounded the multiple handicaps of an identifiable Spanish surname and other political disadvantages which face Mexican Americans here today.

Therefore, the Committee's first recommendation is that the power to reapportion be removed from the State Legislature and placed in the hands of a body which is representative of all of the people in California.

There is precedence for such an action. A number of other States in the Union have already adopted other methods of reapportioning their State Houses and Congressional districts.*

*The National Municipal League's Model State Constitution (Section 4.04) provides that the reapportionment authority be removed from legislative control and entrusted to the administrative authority of the governor's office, subject to the review and modification by the state's highest court. For purposes of reapportionment, the governor would be advised by a non-partisan board of citizens. By 1967, eight states (Alaska, Arizona, Arkansas, Hawaii, Michigan, Missouri, New Jersey, and Ohio) had removed reapportionment from legislative control. New York National Municipal League, 1967.

The Committee's second recommendation is that, if the legislature does not apportion the Mexican American and other minority communities justly, the United States Department of Justice be asked to file a civil rights action enjoining the implementation of California's 1971 Reapportionment Act.

If the 1971 reapportionment, as presently being drafted by the State Legislature, once again makes a patchwork quilt of the Mexican American community and attempts to exclude its voice from our halls of government in Sacramento and Washington, D.C., we will view this as a denial of civil rights which the Federal government has the authority and responsibility to correct. We would urge the federal government to use all the weapons in its legal arsenal to cause the State Legislature and the Governor to apportion fairly and in a manner which conforms with the Constitution of the United States.

We recognize the reality that a fair reapportionment would require some incumbents in the legislature to run in districts which will become predominantly Mexican American in population.

We accept this.

There is no way that the political comforts of a few incumbent politicians can be measured against the political rights of nearly three million Californians.

And that is the choice to be made.

II. Voting Rights

The California State Election Code has kept many Mexican Americans from exercising their right to vote.

Robert Garcia, an Assembly staff member, described the Code as a collection of laws "written with the premise that it ought to be difficult for people to vote" and filled with "arbitrary barriers that have kept us from electing more Chicanos."

Garcia's critical analysis of the State voting process was supported and expanded upon by several other speakers, including attorneys from the California Rural Legal Assistance (CRLA) and the Mexican American Legal Defense and Educational Fund (MALDEF), U. S. Senator Alan Cranston, California Secretary of State Edmund G. Brown, Jr., and State Senator George Moscone, co-chairman of the California Commission on Democratic Party Reform.

Key recommendations included (1) that lengthy residency requirements-- which tend to work against the poor and the migrant--be shortened, (2) that ex-felons should uniformly be permitted to vote; (3) that a system of permanent registration be adopted; (4) that a system of registration by mail be developed; (5) that ballots be printed in Spanish when appropriate; (6) that all language and literacy requirements be abolished; (7) that the number of available deputy registrars be increased; (8) that the speaking of a language other than English be permitted at a polling place; and, (9) that the possibility of granting State citizenship to legal resident aliens be explored.

In his written statement, Senator Cranston said that he was drafting legislation to delete the English speaking requirement from the naturalization process, which he called a citizenship hindrance to "thousands of Mexican nationals lawfully residing in California."

Recently the California Supreme Court ruled that the State Constitution violated the United States Constitution in its requirement that all voters be literate in English. This decision opened the voting booths to more Mexican Americans.

There are other barriers presently preventing Mexican Americans from voting or otherwise fully enjoying their rights as citizens.

In view of this, the Committee submits a third recommendation that a commission be established by the legislature to examine all California laws to determine which statutes discriminate against Mexican Americans or other minorities because of their culture or language. The commission should be composed of representatives from all minority groups.

III. Appointment of Mexican Americans to Positions in Government

Out of 15,650 elected and appointed officials at municipal, county, State and Federal levels in California, only 310--just 1.98 percent--are Mexican American.

This information was provided to the Committee by a Civil Rights Commission staff study which further showed that:

- None of the top 40 State officials are Mexican American.
- None of the top 28 advisors on the Governor's staff are Mexican American.
- Of the 4,023 positions in the executive branch of State government, including the boards, commissions and advisories, only 60--1.5 percent--are filled by Mexican Americans.
- Of 10,907 city and county government officials in California, only 241--2.2 percent--are Mexican American.
- None of the 132 top State court positions--including seven Supreme Court Justices, the Judicial Council, the Administrative Office of the Courts, the Commission on Judicial Qualifications and the State Court of Appeals--are held by Mexican Americans.
- At the Federal level--legislators, judges, marshals, commissioners, United States Attorneys and their assistants--there were 525 offices specifically serving Californians. Of these seven--1.33 percent were

held by Mexican Americans. None of the four U.S. attorneys or 87 assistant U.S. attorneys serving in California are Mexican American.

-In the U. S. Court of Appeals and the U. S. District Court in California (which include U. S. judges, referees, probation officers, commissioners and marshals) there are 262 positions, only 6 of which are filled by Mexican Americans. None of these 6 are judges or referees.

Dr. Francisco Bravo, of Los Angeles, who has held high appointive positions under both Democratic and Republican administrations, was critical of both parties for their failure to appoint sufficient numbers of Mexican Americans to key positions. He was particularly critical of the failure of all California governors to appoint more Mexican American judges, and of Governor Reagan for not naming Mexican Americans as directors of key State departments.

Of the nearly 700 State Senate and Assembly staff members listed in the 1970 State Legislative handbook, only 7 had Spanish surnames. These positions are not covered by rules or guidelines of the legislature's own creation, the state Fair Employment Practices Commission, or by Title VII of the Federal Civil Rights Act of 1964.

Representatives of both the Senate and Assembly personnel offices were invited to present their personnel statistics and briefly explain their hiring procedures. Both declined.

The importance of having Mexican Americans on legislative staffs, as well as on the Governor's staff, on the bench, and on the staffs of important legislative committees and governmental advisories at all levels of government was stressed by several witnesses.

(1) It has denied them the opportunity to learn the "system"--the process of government which established the rules by which they must live.

(2) It has excluded them from participation in forming policies--policies which have stunted their growth educationally, denied them economic opportunities, limited their access to the State's system of justice, and generally worked to "keep them in their place" as second-class citizens.

(3) It has denied them the use of government facilities by closing off avenues through which they could voice their problems and grievances.

The lack of Mexican Americans in appointive and elective policy positions in government is dramatically reflected by the fact that in many departments of the State, Mexican Americans comprise less than two percent of the work force, and that the department with the best hiring record has only seven percent Mexican Americans on its work force.

"For All The People...By All the People," a 1969 U. S. Civil Rights Commission report to the President and the Congress--a report based in part on a study of California's municipal and State governments--found that: "Not only do State and local governments consciously and overtly discriminate in hiring and promoting minority group members, but they do not foster positive programs to deal with discriminatory treatment on the job."

The State Advisory Committee notes that lack of representation on governmental staffs and committees has created three major roadblocks to equality for Mexican Americans in California.

The California State Advisory Committee notes the Commission's recommendation to Congress in March, 1971, that the Federal Equal Employment Opportunity Commission (EEOC) be given enforcement powers and that Title VII of the 1964 Civil Rights Act be expanded to cover state and local governments.

The only remedy for State and local government job applicants or employees who are victims of discrimination is a costly, time-consuming private court suit.

The State Advisory Committee makes a fourth recommendation that the Governor, members of the legislature and key elected and appointed officials at all levels of government take immediate steps to correct the racist patterns of political appointment which have created the imbalance which exists in policy level positions today.

The State Advisory Committee makes its fifth recommendation that Title VII of the 1964 Civil Rights Act be expanded to cover state and local government agencies, and that the jurisdiction of the Equal Employment Opportunity Commission and the Fair Employment Practices Commission be expanded to cover the personnel practices of these State and local agencies.

IV. Major Political Parties and the Mexican American

Political power and authority in California lies with the elected officials, the wealthy contributors, and the influential pressure groups. Under California law, political parties are without any real authority. They are prohibited from making pre-primary endorsements and may not contribute financially to primary candidates.

For all practical purposes, the political parties in California are owned and controlled by the State Legislature or the Governor. Elected officials and nominees appoint all of the members of the State parties' Central Committees. These appointments are made from among their own supporters.

Inasmuch as the districts in California are now apportioned in a manner which excludes Mexican Americans from public office and makes their nomination in the primary only a remote possibility, their opportunity to participate fully in party positions is drastically limited. Only the legislature can provide a remedy for this inequity--a just reapportionment. Unless such a reapportionment occurs, both parties can expect to lose much of the support they now receive from Mexican American voters.

As many speakers emphasized to the Committee, the vast majority of Mexican American voters are Democrats. Estimates ranged up to 90 percent. The Democratic Party, the speakers complained, has taken the Mexican American for granted. The Republican Party, with few Mexican Americans and few pressures from that community, has not been at all responsive to its needs, they said. Several speakers stated that unless a fair reapportionment bill is enacted this year, a new party representing the interests of Mexican Americans will be formed before the 1972 elections.

As the Committee's sixth recommendation, it urges the leaders of both political parties to use all of their influence with the legislature and the Governor to ensure the enactment of a fair and just reapportionment bill.

One important area in which the political parties can ensure an opportunity for fair and meaningful participation in the political process is in the selection of delegates to the national conventions which nominate presidential candidates. In the past, neither major party has afforded fair representation to Mexican Americans on its delegation. As a result of its 1968 Chicago convention, the Democratic Party, both nationally and in California, has adopted guidelines for proportionate representation of Mexican Americans at its 1972 convention. The Republican Party has taken no comparable action.

Mexican Americans view the commitments made by the Democratic Party to reform its delegate selection process with justifiable skepticism. They have grown accustomed to broken promises by politicians.

It is the Committee's view that Mexican Americans are entitled as a matter of law to fair representation at Presidential conventions. Unless such representation is afforded at the 1972 conventions, the delegations may be subject to legal challenge.

As the Committee's seventh recommendation, it urges that the delegations selected and the procedures followed by both parties be carefully reviewed and analyzed after the selection process is completed, and appropriate challenges be instituted in the event that Mexican Americans are once again denied fair representation.

As the Committee's eighth recommendation, it urges that the Republican Party adopt guidelines for the purpose of affording fair representation to Mexican Americans at the 1972 Presidential convention and that the Democratic Party fully implement the guidelines it has adopted.

V. Representation in Los Angeles and Other Urban Areas

The Civil Rights Commission staff report shows that among the 90 top officials, mayors, councilmen, etc.-- in California's three largest cities-- Los Angeles, San Diego and San Francisco--there is one Mexican American.

The report shows that in cities with 50,000 to 500,000 population, there are 64 mayors, one percent of whom are Mexican American; 332 councilmen 20 percent of whom are Mexican American; and 926 other officials, 15 percent of whom are Mexican American.

Within these city governments, Mexican Americans represent 2.7 percent of the officials.

Although there are 1.1 million Mexican Americans residing in Los Angeles County, this ethnic group is unrepresented on the five-member County Board of Supervisors and the 15-member Los Angeles City Council.

Los Angeles City Councilman Thomas Bradley joined Mexican American speakers in charging that this lack of representation is due to gerrymandering and other schemes designed to limit Mexican American political influence.

One councilman's District which Mexican Americans share with blacks has 260,000 residents, which white Anglo districts have populations as low as 162,000.

This discrepancy was successfully challenged in court by the Mexican American Legal Defense and Educational Fund (MALDEF). Six weeks after MALDEF's chief counsel in Los Angeles, Joe Ortega, described the condition to the Committee, the California Supreme Court ruled that the city of Los Angeles must reapportion its councilmanic districts on the basis of equal numbers of people rather than registered voters, the criteria it had used.

The Committee sees the splitting of the Mexican American community into three separate councilmanic districts as an example of council members' insensitivity to the legitimate political aspirations of a minority community.

Statements from other speakers indicated that this is a condition not unique to Los Angeles.

The Committee makes its ninth recommendation that the power to reapportion at city and county levels of government be taken from the hands of incumbents and placed with a commission representative of the people of the area.

The Committee also heard complaints that those municipal, county and school board elections which require candidates to run "at-large"-citywide, countywide, or districtwide, instead of from specified smaller districts--minimize minority voting power. In some communities, political racism appears to be the motive for maintaining "at large" elections.

The Committee's tenth recommendation is that cities and counties with sizable defined ethnic communities that lack representation should consider conducting elections on a district, rather than at-large basis.

SUMMARY OF PROCEEDINGS

REAPPORTIONMENT

The principal concern of the State Advisory Committee's two-day meeting was the 1971 reapportionment of California's state legislative and Congressional districts, and it brought comments from many speakers of diverse backgrounds and experiences.

Yet not one of those speakers defended the past gerrymandering of Mexican American communities.

Typical of statements heard by the Committee were:

Jess Unruh a Democrat and former assembly speaker: "Quite obviously the Mexican American community has been reapportioned more with regard to how it would maximize the Democratic representation that it has as to how it would maximize the Mexican American representation."

Senator Dennis Carpenter, Chairman, Republican State Central Committee: "Those district lines which now exist have not produced what I would call an unfair number of Mexican American legislators in California. They are districts which were established by the Democratic Party."

Mario Obledo, executive director, Mexican American Legal Defense Fund: "Gentlemen, any individual can look at the statistical information that is available to the public in the State of California with regard to Chicano representation in the Assembly and in the Senate of this State, and it will show a prima facie case of, if not de jure segregation, de facto segregation against the Mexican American."

U. S. Congressman Edward R. Roybal, in a written statement said: "The Supreme Court decisions over the last decade relating to legislative reapportionment have lulled many citizens into the supposition that gerrymandering and other techniques used to minimize minority group political influence have become obsolete. Nothing could be further from the truth. In fact, the rigid 'one man one vote' reapportionment guidelines outlined by the Court in recent years have in some ways heightened, rather than reduced, the propensity for unjust redistricting of legislative districts.

"Whereas gerrymandering previously was somewhat restricted by the tenacity of traditional political and geographic boundaries, the new Supreme Court rulings have done away with these prior restraints and have replaced them with a mere requirement for numerical equality of all legislative districts. While major elements of the dominant society, such as urban populations, have increased their political influence through the 'one man one vote' rulings, certain racial and ethnic minorities within that urban majority have actually lost political influence."

U. S. Senator Alan Cranston, also in a written statement: "Despite the rapid emergence of political activism in the Mexican American community, access to the state's political institutions remains virtually closed to this community. The reasons for this are complex, but they have a common root: the Mexican American has been systematically excluded from the opportunities available to the Anglo community that lead to political, economic and social success."

Senator George Moscone a Democrat and the State Senate's majority floor leader, was asked if the Chicano was the victim of serious gerrymandering in Los Angeles County.

He responded: "I think the best answer to your question--and I hope it is not evasive--but I look around me in the Senate and I see none. Therefore, the answer must be yes."

Two professors from California State College at Los Angeles, Henry Pacheco and Dr. David Lopez Lee, brought the Committee a detailed map which they had prepared of Los Angeles County, showing the various degrees of density of the Mexican American population there.

They also brought along a fact sheet which stated that the East Los Angeles community, with a Mexican American population of 600,000 persons, was sliced up into nine State Assembly districts, seven State Senate districts, and six United States Congressional districts. The districts were cut up in such a way that none of them had more than 35 percent Mexican American voter registration, Pacheco said.

The Assembly offered a good example of gerrymandering practices. Using the legislature's own figures, five districts--the 40th, 45th, 48th, 50th and 51st--dip into East Los Angeles to take between 20-30 percent registered Mexican American voters each, with four other districts--the 52nd, 53rd, 56th and 66th--dipping in for smaller amounts. The amounts are large enough to insure the reelection of Democratic incumbents, Pacheco explained--but small enough to prevent a Mexican American candidate from winning the district.

Professor Pacheco suggested that the county--which presently has one Mexican American Assemblyman, one Mexican American Congressman and no Mexican American State Senators--should provide the Mexican American community six Assembly seats, three State Senate seats and three U. S. Congressional seats.

Pacheco and Lopez Lee agreed that 50 percent Mexican American population would be sufficient to elect a qualified Mexican American candidate.

Bert Corona, national organizer for the Mexican American Political Association, recommended that in Los Angeles County, four Assembly districts with between 45-55 percent Spanish surnamed population be created, with another, possibly, between 35-45 percent.

He suggested that two State Senate districts and two U.S. Congressional districts, each with 45-55 percent Spanish surname population, plus one each with 30-45 percent, could be created.

"This is in Los Angeles County," he said, "but there are other areas of the State. One is the 25th Assembly District in Santa Clara County. It could be expanded to include parts of Southern Alameda County. They could come up with the same kind of figures, including part of the old 13th Assembly District.

"In Fresno in Madera County, we could do the same thing. We could come up with a bigger participation of Mexicans in one district. In Imperial and Eastern Riverside County districts, the Spanish surnamed population could be put together in such a way that they could also have a better chance of representation."

Jesse Ramirez, executive director of the Chicano Federation of San Diego County, reported:

"San Diego County has 15 to 20 percent Mexican Americans, and for the first time in our history we have a representative in Sacramento. Thirteen municipalities, one Mexican American City Councilman; no representation on the County Board of Supervisors; no city managers, no top department heads anywhere in the county, so the representation we have speaks to what one young man said earlier, 'Taxation without representation.' The ethnic distribution runs one way, the boundaries run another way."

Richard Calderon, a research project supervisor who was narrowly defeated for the United States Congress by the then-incumbent State Senator George Danielson in the June, 1970, Democratic Party primary, stated that he felt a district with 35 percent Mexican American voter registration was sufficient to elect a Mexican American candidate. The figure was in line with that of 50 percent total population used by Pacheco.

Calderon, from Eastern Los Angeles County, said that in his campaign against Danielson, which he lost, 25,518 votes to 23,506 votes, he handily carried all of the towns with any number of close to 35 percent or greater Mexican American voter registration.

"It was in the marginal areas of 20 to 25 percent that we had problems," he said. "Some we won. Some we didn't." (See chart, Appendix E).

Calderon described the intent behind the gerrymandering of East Los Angeles:

"Why were we cut up? Well, the primary consideration was a self-serving consideration, and it happened that in 1960, the Democratic Party was also

in power. It benefits the Democratic Party to cut up our community, because what they are doing is slicing into a rich pie where the registration is 90 percent or better Democratic. By each district taking a chunk from that rich pie, they come out with districts that are 60 percent or better in Democratic registration, so it gives them the opportunity to get more Democratic districts.'

Jess Unruh, who was Speaker of the California Assembly throughout most of the '60s, spoke at length about the "political realities" of reapportionment and what actually happened during his term as Speaker.

"In 1961, we did an Assembly and Congressional reapportionment," he said. "We did not do a Senatorial reapportionment because that was before the one-man one-vote court edict. In 1965, we again realigned the Assembly and Senate lines, and in 1967, we realigned the Congressional districts.

"In no case have I seen anything out of this except the actions of the legislature to protect the members of the legislature and to favor the party in power.

"In 1961, pursuant to a direct request, I think the principal thing that motivated the legislature in reapportionment after that all-important principle of protecting incumbents was to give to the then new Democratic President, John Kennedy, as big a working majority in the Congressional delegation of California as was possible. We did that.

"In 1965, it was totally and completely for the protection of incumbents.

"In 1967, it was to protect the incumbent Congressmen.

"I would suggest," Unruh continued, "that is what would govern this reapportionment at both the Assembly, the Senate and Congressional level. That is the way it is done....They will first of all make a deal to protect themselves. Secondly, they will attempt to give their party whatever advantage there is. Thirdly, they will look after other groups who manage to get the most pressure on them after that."

Lawrence Glick, deputy director of the U. S. Civil Rights Commission's Office of General Counsel, quoted a comment to the Committee by Senator Moscone that "the Democratic Party wants to be a more effective instrument for the Mexican American people." Then he queried Unruh on whether it would be possible for the Democratic leadership in California to face the reapportionment dilemma head on, and if an incumbent had to be eliminated, would it be done?

"Certainly that would be better for the Mexican American population," Unruh responded, "but that just isn't going to happen. It just isn't going to happen."

Senator Carpenter made reference to past reapportionments which didn't produce Mexican American representatives and said, "Unfortunately, we might look forward to the same circumstances this year."

Senatory Mervyn Dymally, a Democrat, and chairman of the Senate Elections and Reapportionment Committee, assessed the Mexican Americans' hopes for '71: "The fair and just thing regarding reapportionment of the State Senate is to see that the Mexican American communities within California have an opportunity to be represented. Unfortunately, however, neither the committments which I make nor the Democratic Party nor the State Senate may make and intend to fulfill will guarantee Mexican American representation in the

State Senate....There are now 20 million people within our State. So each of the 40 State Senate Districts will contain approximately half a million people. Los Angeles County, which is slightly under seven million people, will retain its 14 seats. No gain....A seat for the Mexican American community would have to displace a current incumbentNo current Senate incumbent can realistically be expected to offer up his seat willingly to the Mexican American community. This is part of our problem."

Committee Chairman Herman Sillas asked Assemblyman Henry Waxman, Chairman of the Assembly Elections and Reapportionment Committee: "Would you state your position on whether you would feel the consideration of increasing Mexican American representation outweighs the removal of an incumbent Democrat?"

Mr. Waxman: "The only response I can give to that is that it is a speculative question and I would not venture to answer it at this time."

Chairman Sillas: "Is it your goal at this time to increase the representation of the Mexican American Assembly?"

Mr. Waxman: "I don't think that is a very fair question to ask of me, other than it has already been asked and answered a number of times in the testimony today..."

Another Committee member, William King an attorney, had the following exchange with the Assembly reapportionment chairman:

Mr. King: "Don't you agree that participation (of Mexican Americans in the legislature) should be increased at this point?"

Mr. Waxman: "I believe it is desirable to give all opportunity for greater representation."

Mr. King: "Let me ask it another way. Do you feel the Mexican Americans are now underrepresented in the legislature?"

Mr. Waxman: "I don't know how to answer your question other than how I have answered it already."

MAPA's Corona charged the legislators with being "cynical in their dealings with our needs and aspirations."

He described a meeting which he and several Los Angeles college students had with Assemblyman Waxman in his office the day before, on the reapportionment issue.

"When we stood before him in his room, he sang our song. But it was an entirely different story when he came up here to the nitty-gritty," Corona said, adding, "We have many like him, naming off other Assemblymen expected to serve on the Reapportionment Committee. They are sending the wolves to take care of us, the sheep."

A young professor from California State College at Los Angeles, Carlos Penichet, told the Committee:

"As we have wandered through the halls of the legislature here and met with a number of the representatives, I think all of us have an increasing impression that very little is going to be done about racial gerrymandering to the Chicano communities in this legislature.

"We have gotten mostly elusive comments. Very subtly, but directly we are being told that the primary considerations in this whole issue of reapportionment is that the incumbents in the Democratic Party are going to have to be protected.

More than a hundred Chicano college students from Southern California--most of them from California State College at Los Angeles--traveled to Sacramento to attend the meeting.

They interrupted Waxman's presentation with laughter and occasional derisive remarks, and they--along with a number of other community members walked out in a protest against Jess Unruh, on whom they blamed the gerrymandering of the '60s, when the former Assembly Speaker appeared in the late afternoon of the second meeting day.

On exiting the meeting room, the students remained briefly in the halls of the capitol, chanting "Chicano power". The same afternoon they formed a picket line in front of the capitol building in a protest against gerrymandering and the political ostricism of the Mexican American.

On the weekend following the State Advisory Committee meeting, the students--joined by many local Sacramento students and adults--picketed the Democratic State Central Committee meeting at the Capitol's Memorial Auditorium.

A week later, at the same auditorium, Governor Reagan, whose office declined to send a representative to the State Advisory Committee meeting, told the membership of the Republican State Central Committee:

"Thousands of Californians are still being cheated out of their correct proportional share of legislative and Congressional representation as a result of a cynically and deliberately contrived imbalance....Large communities of particular ethnic groups like our fine citizens of Mexican descent have been gerrymandered and cut up so they have no chance to choose either

legislative or Congressional voices representative of their particular problems. This time reapportionment must correct that injustice...."

Several of the Mexican American speakers made the point that California's political system was on trial in the 1971 reapportionment, and that if the Mexican American community was gerrymandered out of an opportunity for political representation once again, the consequences could be serious.

Armando Morales, a psychiatric social worker, cited the Mexican American's lack of political opportunity as a major factor in the recent East Los Angeles riots, and told the Committee:

"A democracy functions best when all people have a voice in government. Urban disorder is a luxury that discriminatory political interests can no longer afford. Everyone loses."

Mario Obledo, executive director of the Mexican American Legal Defense Fund, told the Committee that MALDEF was already researching the Constitutional dimensions of the problem, and was prepared to take the case to court if the legislature did not present a reapportionment plan which was just to California's three million Mexican Americans.

Another frequently mentioned alternative was a massive community organizing effort behind La Raza Unida Party.

Richard Calderon predicted that the Mexican American community would form a Freedom Delegation--with strong support from Southern delegations--to impede the seating of California's regular delegation at the 1972 Democratic National Convention.

Senator Cranston summed up his statement:

"I cannot overstate the gravity of the existing situation. It affects not only an excluded community but all Californians.

"I believe that the survival of democratic government hinges upon the opportunities which it provides to disenchanting groups to translate their aspirations into political terms. Without these opportunities, the fundamental right to petition the government for redress of grievances becomes meaningless.

"Those excluded from participation in political institutions may conclude that they have no stake in a society whose political system is closed to them," he warned.

In his remarks to the Committee, Los Angeles City Councilman Thomas Bradley drew the blunt conclusion:

"There are far too many people in this country who do not see this as a problem and who do not understand it in any way."

He suggested: "Until we get that kind of public awareness, we will never be able to take the next step toward finding the solution."

VOTING RIGHTS

Several ways by which the Mexican American in California has been excluded--both legally and illegally--from the voting process were cited at the meeting.

The State Election Code came under fire from a number of Mexican American witnesses, from attorneys representing California Rural Legal Assistance (CRLA) and the Mexican American Legal Defense and Education Fund (MALDEF), from the Co-Chairman of the California Commission on Democratic Party Reform and from the Secretary of State himself.

In a recent case before the California State Supreme Court (Castro v. California), the court ruled that the State violated the United States Constitution's guarantee of equal protection under the law when it limited its voter literacy test to English. The court reasoned that a Spanish speaking citizen had an abundance of Spanish language news media in this state to assist him in learning about the candidates and issues and becoming as knowledgeable on them as his English speaking neighbor.

This decision, many of those appearing before the Committee commented, opened a new series of questions on language and voting rights.

Senator Alan Cranston, in his written statement, recommended:

"Our election laws for registration and voting must be liberalized to make it easier for Mexican Americans to participate in the electoral process in the most important place of all--the voting booth.

"In partial response to this problem," he said, "I am drafting legislation, to be introduced early in this session of Congress, that will enable thousands of Mexican Nationals, lawfully residing in California, to become American citizens by deleting the English-speaking requirement from the naturalization process.

"Spanish-speaking registrars must be provided, as well as ballots and voter pamphlets printed in Spanish," he added.

Robert Garcia, staff assistant to Assembly Speaker Bob Moretti, stated that the State Election Code was filled with "arbitrary barriers that have kept us from electing more Chicanos" and that the Code "was written with the premise that it ought to be difficult for people to vote."

Garcia stated that he had been studying the Code for several weeks and that he had personally drafted 30 bills to change it. He recommended that:

--A system of registration-by-mail be developed. "This would greatly help farm workers and the rural Chicano," he said.

--A system of permanent registration be adopted. "This is the ideal solution, but that is not going to come about," he admitted.

As an alternative plan, he recommended purging of voter lists only after general elections.

"In Riverside County, 10,000 people were purged because they did not vote in the primary election in June of last year. A lot of those people were farm workers who leave Imperial Valley and Coachella Valley at that time to work in San Joaquin Valley and the Sacramento Valley. They can't leave a forwarding address because they never stay in one place very long. They stay two or three weeks and move on. When the sample ballot of disbursement is returned to the county clerk, the clerk sends out a double postcard to the address of that person. Of course, the post card is not returned within the required 30 days,

the person is removed from the eligible voter list," Garcia said.

He added that:

--California should adjust its residency requirements to conform to the new national 30-day residency requirements.

--Ex-felons should uniformly be permitted to vote.

"Based on a precedent set in a case in 1966, many county clerks are now registering ex-felons. If people aren't aware of the precedent, county clerks aren't likely to do that."

--When appropriate, ballots should be printed in Spanish.

The 1970 Voting Rights Act abolished all language and literacy requirements, Garcia pointed out, so "it doesn't make much sense for a person literate only in Spanish to try and read an explanation of a proposition in English. I have a difficult enough time trying to understand those."

"I think the argument that if you do it for the Spanish speaking people, you have to do it for all ethnic minorities can be dispelled by imposing some kind of numerical formula such as whenever ten percent of the electorate speaks a certain language, ballots in that language are needed."

Sacramento Attorney John Moulds III spoke in support of Spanish language ballots, a 19-day residency requirement for voting, registration-by-mail, and a statewide solution to the problem of ex-felons voting.

On the latter issue, he pointed out:

I think the felony voting exclusion in California is much more serious than many of us know, particularly because it not only has racial and ethnic overtones, but it also has substantial economic overtones. It is sometimes a narrow thing in the State of California whether a man is convicted of a felony or misdemeanor. It is also true that it is possible, later on, to correct the record to take care of a felony and reduce it to a misdemeanor. This is the kind of thing that happens to a man who has private counsel, and it may not happen to the man who is a transient as he does not come back into the area from which he has a conviction. This can make a substantial impact, plus there is the general public impression that a person once convicted of a felony may not vote

until he has gone through the complicated process of a certificate of rehabilitation and a pardon by the Governor. This is being remedied in some counties and should be remedied in more.

On shortened residency requirements, Moulds commented that a bill was being introduced to the 1971 State legislature permitting voters to register until 19 days before any election.

"It appears that 19 days will allow the county clerks to do what is necessary to inform the electorate and also to prevent voting fraud," he said.

Moulds added that printing the ballot in a foreign language "is by no means as complicated as it appears on first blush, particularly with the development of voting machines. It would be no real problem to have several preprints in precinct polling places where they are needed in a wide variety of languages. It is not at all necessary, in my view, to require that this be 10 percent of the population or anything else."

Moulds also suggested that standards be set for measuring how well a county clerk does his job.

"At the present time, a county-clerk is measured by any foul-ups that make the press mad on election night and by how pretty his registration affidavits look. It seems to me we might begin to develop some criteria based on how many people he should have registered in his area if he were doing a proper job of outreach and involvement of all groups. Essentially, we would place the burden on him to go forward and register the people."

Moulds recommended that literacy ought to be eliminated entirely as a requisite for voting. With the modern media, he said, "It is no longer true that reading is necessary as an accompaniment to casting a vote."

"There are approximately 40,000 adult inmates and parolees in the California Adult Authority corrections system. Of these, 20 percent, or 8,000 are of Spanish surname, mostly from the Southern California area," he explained.

"Most Mexican American convictions are for narcotics offenses."

"Because of the numerous, interrelated institutional discriminatory practices that result in more poor Mexican Americans being arrested, convicted and imprisoned for narcotic offenses than middle-class persons, their punishment is made even more severe because they also lose their right to vote."

"And because they lose their right to vote, they become politically helpless to participate in the American democratic process to change those social conditions that caused-their initial downfall, and which will also cause their future downfall."

CRLA Attorney Don Kates, of Gilroy, stated that a CRLA suit caused the California Supreme Court to rule that the California Constitution was in violation of the United States Constitution in its requirement that all voters be literate in English.

Kates pointed out that in Los Angeles County alone there were 17 Spanish language newspapers and several radio and television stations accessible to persons who could read or speak Spanish. He cited "the discriminatory history of the English literacy requirement," defining its purposes as "to make sure that people born in foreign countries couldn't vote."

The California Supreme Court decision outlawing English literacy requirements came during the middle of last year's primary elections. Kates stated that most counties, especially urban counties, implemented the decision immediately.

"However, in a number of rural counties, particularly those where the existence of some Spanish-speaking voters might make a great deal of difference, the reaction was somewhat less than immediate compliance. In Imperial County, the registrar denounced the decision in the press and attempted to implement a scheme whereby anybody who wishes to register to vote under the Castro decision would have to vote in the county seat. Since the county stretches from San Diego to Arizona and from Riverside County to the Mexican border, that would mean people would have to drive 50 or even 100 miles round trip in order to vote or to register to vote. After threat of litigation by our office down there, the county counsel was able to convince the registrar of voters that he better allow registration in each incorporated area of the county, and that eventually occurred. However, I think the delay was sufficient that a large number of people who should have been allowed to vote for the first time in their lives in a primary were not allowed to vote."

Kates commented that in rural communities there are few, if any, Mexican American deputy registrars, in spite of the fact that under law, any competent person can be appointed as a deputy registrar and that the election code specifically encourages registration of voters.

Before the Castro decision, Kates said, there were instances where Mexican American deputy registrar applicants were turned down with the explanation that they'd probably register non-English speaking people.

Now, he predicted, "every type of technical objection will be placed in the way of appointing any further Mexican American registrars."

Another issue concerning voting rights was raised by Cododac Colchado, Martin De Leon and Daniel M. Ruiz, teachers taking graduate study at the University of California at Davis. In a prepared paper, they quoted a recent article by Sacramento Bee reporter Dennis Campbell:

An inconsistency in California law denies 250,000 residents the opportunity to vote. These are California's Spanish-speaking aliens. They are permanent residents here. They own property, pay taxes and are subject to our laws, but as non-citizens, they have no voice in the institutions which govern them. They are victims of a chain of inconsistencies:

1. Congress requires that aliens understand English before they can become United States citizens.
2. Since California aliens who do not understand English cannot become U. S. citizens, neither can they acquire California citizenship.
3. Without California citizenship, these Spanish speaking residents cannot vote.
4. Spanish speaking Californians who acquired citizenship by virtue of birth in the U. S. can vote, even though they cannot understand English.

The courts could remedy the paradox by declaring California's requirements of U. S. citizenship unconstitutional. This could be done on the same ground that the English literacy test was struck down in the Castro decision. If this were to happen, a resident alien in California could acquire State citizenship without becoming a U. S. citizen.

Former Mendota Poverty War worker Andy Tobar described to the Committee an incident during the 1970 June primary. He saw a friend in line in the voting place and began conversing with him in Spanish.

"Immediately, one of the girls working there said, 'I'm sorry, gentlemen, if you want to speak Spanish, you will have to go outside,'" Tobar related. He raised the question of how new Spanish speaking voters could be communicated with at the polls if Spanish were prohibited.

"We should have some Chicano at these polling places who can assist La Raza when they come in, especially now with the new interpretation of the law," he said.

In response to the Committee's questioning, California Secretary of State Edmund G. Brown, Jr. stated that he felt that Section 14240 of the Election Code, which states that all of the proceeds at the polls must be in English, was probably unconstitutional in light of the Castro decision.

"How else could they participate intelligently?" he asked.

In his statement to the Committee, Brown made four major points:

1. That valid arguments and other pamphlet material, as well as voting machine instructions, should be printed in Spanish in those areas where a high concentration of Spanish speaking voters resided.

2. The California Election Code has many restrictive requirements which tend to penalize migrant workers, the young, minorities and the poor. These should be changed, he said. He singled out pre-registering requirements of 54 and 90 days, and the need for bilingual registrars.

"These registrars should be given adequate financial inducement so that they are really motivated to register people," he said.

3. Californians, with emphasis on those of Mexican descent, ought to be able to register on a given date and be declared permanent resident immigrants, "however they got here." Brown added: "In many places there is a fear that if they register to vote, their status may not be as secure as they think it is, and they may be deported, or some other governmental intrusion of a similar or unfavorable reaction might occur. So I think we have to give assurance to those people who have lived in our state for a reasonable period of time that they are welcome here, and have every right of every other person in the state. If such a situation were to be declared, then I think that--although those people who weren't citizens couldn't vote--it would clear the air in such a way that many citizens who are now hesitant to come forward would be able to register."

4. The State of California must take some affirmative steps to hire Mexican Americans and other minorities. "I think that the matter of affirmative recruitment is shockingly inadequate, and that the State has demonstrated very clearly that it is indifferent to the needs, not only of Mexican American citizens, but of poor people in general."

Senator George Moscone, Co-Chairman of the California Commission on Democratic Party Reform, enumerated five recommendations dealing with voter registration which that Commission had prepared for adoption by the party. (All of the recommendations were adopted by the Democratic Party at its State Central Committee Conference in Sacramento the following weekend.)

The recommendations were:

- (a) Abolition of residency requirements;
- (b) Allow voter registration up to 19 days before an election;
- (c) Allow voter registration or re-registration by mail;
- (d) Abolish all language and literacy requirements;
- (e) Adopt procedures to increase the number of available deputy registrars and simplify registration procedures.

"In the area of voting, we seek to protect the highly mobile and low income voter by abolishing consolidated precincts and printing ballots in Spanish," Moscone said.

Lawrence Glick, of the Civil Rights Commission's Office of General Counsel, asked the Senator if he was aware of Election Code Section 14217, which provides all proceedings at the polls shall be conducted in English.

Senator Moscone said he was not aware of the section and that "it strikes me as a legislative sanction for electoral interference.

"Let me assure this Commission that we will put in a bill as early as next week to eradicate that from the law," he concluded. (Such a bill was introduced by State Senator Mervyn Dymally and referred to committee on February 1.)

APPOINTMENT OF MEXICAN AMERICANS TO POSITIONS IN GOVERNMENT

The fact that only 1.98 percent of California's appointed and elected officials are Mexican American was criticized by State officials as well as by members of the Mexican American community at the meeting.

One speaker on this issue was Dr. Francisco Bravo of Los Angeles, a man who has received more key political appointments than perhaps any other Mexican American in the history of California. Dr. Bravo has received appointments at the municipal, State and Federal levels including Los Angeles City Police Commissioner and State Agricultural Commission; he has been given major appointments by both Democratic and Republican governors of the State.

Dr. Bravo was critical about the low number of Mexican Americans who received appointments both at the State level and at the Los Angeles municipal level.

"We have had practically no appointments out of our 122 Commissioners in the city of Los Angeles. Since we constitute somewhere around 20 to 30 percent of the population, we should have 30 or 40 Commissioners. We usually have six to eight. In the time I served as Commissioner--the first Mexican American Commissioner in the city's history--there was one. Mayor Yorty came through with about 19, but this has been reduced to about six or eight now.

"In the State, we constitute about 15 percent of the population and we should have at least one Mexican American on each one of the boards

and commissions In the critical boards, like the Board of Education, Welfare, Custodial Institutions, Athletic Commission, we should have two or more."

Dr. Bravo stated that Governor Reagan had appointed 54 Mexican Americans to non-civil service jobs in his first four years in office. "We should have between 500 and 1,000 involved in appointed positions," he said. During the administration of former Governor Edmund G. (Pat) Brown, 30 Mexican Americans were appointed, he said.

The question of finding qualified Mexican Americans is now irrelevant, Dr. Bravo stated. "We have a plethora of well-trained, didactically trained individuals in the various professions and skills, at the top universities."

He was particularly critical of the failure of California governors to appoint Mexican American judges.

"How many has Governor Reagan appointed during his regime? The answer to that is five. But only three are Mexican Americans. The others only carry the Latin or Spanish surnames."

Dr. Bravo said that his experience as a board member and as president of the Los Angeles Police Commission made him realize the tremendous importance of appointing Mexican Americans to judgeships.

"Judges indeed are the last resort," he said, "the last resort for Mexican Americans who are caught in the jungle of laws and of law enforcement people, prosecutors who are dedicated only to their particular job, and not to individuals or to the background of individuals, culturally speaking."

"My God, three million people. Three judges for our people, and they are the ones who are coming up before the courts and prosecutors. If the judges don't understand the cultural background of these people, they won't hand down decisions that are right."

The U. S. Civil Rights Commission staff report showed that there are 1,179 superior, municipal and justice court judges and county constables in California, 21 of whom are Mexican American. Broken down, there are 407 Superior Judges in the state, three of whom are Mexican American (all in Los Angeles County). There are 315 municipal judges and 240 justice court judges. Nine of these are Mexican American. There are 217 constables, nine of whom are Mexican Americans. Thus, Mexican Americans represent about 1.7 percent of the city and county judiciary process.

Lorenzo Patino, a board member of the National Urban Coalition and a law student at the University of California at Davis, brought the Committee the official 1970 California Legislative Handbook, which lists State Assembly and Senate staff members, including consultants, administrative assistants, administrative secretaries, secretaries, typists and clerks.

Of 445 people listed as working for the Assembly, only five had Spanish surnames. Four of these were typists and the fifth was an intern, he said.

Of the 223 employees listed for the Senate, only two had Spanish surnames; both were administrative assistants.

"The only agency in the State of California which is not covered by the Fair Employment Practices' rules or guidelines is the State Legislature,

which created F.E.P.C. I think it is tragic that the legislature is the greatest violator of the intent of its own legislation," Patino remarked.

Secretary of State Edmund Brown stated that in the three weeks since he took office, he found affirmative recruitment--including that of the 120 persons working in his own office--"shockingly inadequate."

"The imbalance that has been pointed out before this Committee demonstrates an indifference and lack of recruitment, he said.

Representatives of both the Senate and Assembly personnel offices were invited to explain briefly to the Committee what their hiring practices consist of.

Mr. C. Ed Olson, executive officer of the Senate Rules Committee, stated that such a request would have to be approved by the Rules Committee itself and that if it were submitted in writing, an answer would be sent "in due course."

Fred Taugher, the only Assembly personnel officer available, stated that he didn't think he could spare anyone for five minutes to explain his office's policy.

On January 29, 1971, one week after the public open meeting, State Advisory Committee Chairman Herman Sillas sent letters to James Mills, Chairman of the State Senate Rules Committee, and to Robert Moretti, Chairman of the State Assembly Rules Committee, requesting more detailed information on the hiring practices of the legislature and current statistics on Mexican Americans employed by the legislature. (For Sillas' letters and responses see Appendix)

MAJOR POLITICAL PARTIES AND THE MEXICAN AMERICAN

Few witnesses made direct reference to the failure of the Democratic and Republican Parties to involve the Mexican American in the party structures themselves. They seemed, instead, to accept it as common knowledge, and moved directly into attacks on the policies and practices of both parties.

Abe Tapia, president of the Mexican American Political Association, (MAPA), stated that "the two-party system has failed the Mexican. We don't need it. We don't want it."

Bert Corona, national MAPA organizer, said: "Both parties have been guilty of using the Spanish speaking and Chicano vote for their imperative of control of the legislature....They are cynical in their dealings with our needs and aspirations....Both parties ultimately have shown that they represent the big money interest."

Most repeated complaints against the parties included:

1. The parties, particularly the Democratic Party, have deliberately gerrymandered Mexican American districts, preventing Mexican Americans from electing their own representatives.

2. The parties, particularly the Democratic Party, have not given Mexican Americans any voice in selecting candidates to run in those districts with high Mexican American population.

3. The parties, particularly the Democratic Party, have not supported Mexican American candidates financially.

4. The Democratic Party has given only lip service to the needs of the Mexican American community, while the Republican Party still fails to understand those needs.

5. The parties have slighted the Mexican American community in providing resources for voter registration drives.

6. The parties court the Mexican American community only briefly during election time, and then jilt it on the day after election.

7. The parties structure their conferences and conventions in such a way as to make them "rich men's pastimes", out of the reach of poor minorities. (Tapia referred to Democratic Party conference registration fees as a "poll tax" which excludes Mexican Americans.)

Senator H. L. Richardson, chairman of the Republican Senate Caucus, commented that "Mexican Americans have literally put all of their eggs in one basket. They have for years joined one party, and have for years been systematically taken advantage of, much in the same fashion as other minorities. They have lost their leverage. The Mexican American is a hip-pocket vote. The question is, how can you turn them out on any given election? Once they have committed themselves to this posture, then the only question is, how does the lily-white liberal divvy up the Mexican American community to serve as a consistent voting bloc for his district? ...As long as the Mexican American puts all his eggs in one basket, he shouldn't be surprised when they get crushed."

Several of the Mexican Americans who addressed the Committee pledged their support to La Raza Unida, the Mexican American party which has won election victories in other Southwestern areas, including Crystal City, Texas.

Tapia said: "We need a candidate who comes from the community, is selected by the community, and we don't give a damn if the Democratic Party likes him or the Republican Party likes him.

"We are going to select him, not the parties. The Chicano community is going to select its own candidates. That is why I have been trying to resolve some of the problems in our community and unify our community so that we can, once and for all, determine what we are going to do with the two-party system that affects us every day.

"We are saying to them that the La Raza Unida Party is going to be one that is going to fight them, no matter what. We are going to make it a reality in the State of California, such as it is in Texas, New Mexico, Arizona and Colorado."

Richard Calderon, who was narrowly defeated in the Democratic Primary for the United States Congress in 1970, foresaw "a strong possibility of La Raza Unida developing and qualifying for the 1972 general elections if no districts are drawn in our behalf".

Peter Chacon, freshman Mexican American Assemblyman from San Diego County, told the Committee that the major political parties "must realize they have a serious responsibility in seeing that Chicanos do have part of the political feast", and must appoint them to important positions within their parties.

Chairmen of the State central committees of both major political parties were invited to appear or send their representatives.

State Senator Dennis Carpenter, retiring chairman of the Republican State Central Committee, accepted the Committee's invitation.

Senator Carpenter stated that while he had a major interest in involving Mexican Americans in the Republican Party, "I want to state honestly that I am not satisfied with the progress I have made in this area."

Senator Carpenter referred direct questions on numerical participation of Mexican Americans to John Lopez, chairman of the Republican State Central Committee's Ethnic and Nationalities Committee.

Lopez estimated that of the central committees 1,250 regular voting members, 30 were Mexican Americans.

Lopez stated that he knew of no Mexican Americans who were officers of the Republican State Central Committee, and Senator Carpenter recalled one Mexican American who was a member of the California delegation to the 1968 Republican National Convention.

Senator Carpenter stated that there were two Mexican American Republican congressional candidates, "both of whom I helped financially," in 1970. Neither was successful, he said.

He also expressed the view, that,

"It seems to me to be somewhat defeating to approach the problem from the standpoint of setting up a political colonization of ethnic or minority groups....To me the ultimate goal is the disappearance of this type of identity in this country so that we don't have to think of people as Mexican Americans, Japanese Americans, Swedish Americans, or what have you.

"So to me it is somewhat difficult, somewhat unfortunate that we have to approach the problem in this light, but since we do have minorities voting in bloc groups, it seems the only practicable way to approach the problem."

Roger Boas, chairman of the State Democratic Central Committee, declined an invitation to appear, and did not send a representative.

State Senator George Moscone, Senate Majority Leader and co-chairman of the California Commission on Democratic Party Reform, did speak.

He stated that, "For too long the way has been substantially blocked for members of minority races to enter the mainstream of political power and public office...California's traditional stance of non-partisanship and a tacitly-approved weak political party structure has only tended to maintain the status quo and the evils of political segregation."

He also elaborated on some of the proposed reforms which his Committee was recommending to the party, including one that a minimum of 20 percent of the party's Presidential primary delegates and 20 percent of its alternates be from minority groups--in line with state population figures for those groups.

Senator Moscone was not questioned on participation of Mexican Americans within the party itself.

Senator Alan Cranston, who was unable to appear at the meeting, submitted the following suggestion in writing to the Committee:

"Both political parties must adopt policies, backed up by programs and actions, to insure adequate representation by Chicanos in the party structure itself. That is where politics begins. That is where we must have Mexican American representation.

1

"Chicanos must be represented on county committees, campaign staffs, statewide staffs and appointive positions, including the very important delegations to presidential conventions."

REPRESENTATION IN LOS ANGELES AND OTHER URBAN AREAS

Eighty percent of California's Mexican Americans--more than two million--live in urban areas. According to a study released in February, 1971, by the Economic & Youth Opportunities Agency (EYOA), Los Angeles County alone has more than 1.1 million Mexican Americans, with half of these clustered in the Greater East Los Angeles area.

Yet, speaker after speaker reminded the Committee, no Mexican Americans are serving on the two key elective bodies in that area: the 15-member Los Angeles City Council or the 5-member Los Angeles County Board of Supervisors.

How the exclusion of Mexican Americans from the Los Angeles City Council came about was described by Councilman Tom Bradley.

"It did not come about by accident," he said. "Over the years we have seen deliberate efforts through gerrymandering which precluded minorities from being elected. I know it from a firsthand point of view because I saw it happening with the black community for years. When that community would grow to a point where it was a threat to the City Council, they would suddenly redraw the lines and instead of running them north and south, they would run them east and west, anything that would cut up that ever-expanding population in that section.

"The same thing has been true with respect to Mexican Americans."

Councilman Bradley stated that an incumbent had an automatic 12-20 percent advantage in an election and admitted that no incumbent councilman would willingly sacrifice his seat. He and some other councilmen attempted to solve the problem in 1968 by developing a plan to enlarge the City Council to 17 members. (It had been a 15-member body since 1925, when the city's population was 500,000, compared to its present 3,000,000.)

"We failed by one vote in getting the necessary support to put it on the ballot as part of our charter. Instead, we had to put it on the ballot as a separate issue and to tie it to the main charter reform. If the main ballot issue failed (which it did), no matter how many votes the expansion got, it couldn't win. The cards were stacked against us from the very beginning."

Armando Morales pointed out that the Chicano Law Students Association and the Congress of Mexican American Unity both tried to persuade the Council to expand its membership. After an initial denial of the request, the Council agreed to the plan Bradley mentioned.

"Mexican Americans viewed this feeble, impractical attempt as a political maneuver designed to make Mexican Americans believe that the City Council was truly attempting to help them develop political power," Morales commented.

He said that the County Board of Supervisors rejected a similar request to expand their membership.

In his presentation, Bert Corona of MAPA made the recommendations that the city reconstitute a councilmanic district that is 50 percent Mexican American and that the county put all of East Los Angeles into one supervisorial district.

Joe Ortega, chief Los Angeles counsel for the Mexican American Legal Defense & Education Fund, pointed out that the apportionment of the Los Angeles councilmanic districts was done on the basis of registered voters, a concept which MALDEF challenged in the suit, Calderon v. the City of Los Angeles.

"Registered voters and populations are not the same thing," Ortega told the Committee. "In the Mexican American areas, because of, among other things, lack of education, lack of sufficient command of the English language and lack of a familiarity and a competence in the political system, the people do not register to vote in the same percentages as they do in other areas.

"In the Ninth Councilmanic District, which is primarily in the East Los Angeles area and which has vast numbers of Mexican Americans, there are 260,000 persons. On the other hand, the Fifth Councilmanic District, which includes West Los Angeles, Westwood and Bel Air--almost entirely all white--has 162,000 people.

"It seems to me that that not only violates the principles of the one-man, one-vote rule, which the Supreme Court has enunciated, but it makes the Mexican American nothing less than a second class citizen. If he is underrepresented in City Hall, he does in fact receive poor governmental services, which, in turn, keep him from getting the proper skills and the proper economic well-being to be able to register to vote. The thing becomes a perpetuating system.

"If you deny him these services, he will not register to vote in the same frequency that other people do. Consequently, his vote continues to get debased more and more."

On March 2, 1971, six weeks after Ortega spoke, the California Supreme Court held that the districts drawn by the city of Los Angeles do not reflect the one-man, one-vote rule and must be based on equal numbers of people rather than registered voters.

Ortega also mentioned the problem of gerrymandering councilmanic districts.

"The U. S. Census graphs show that there is a large concentration of Mexican Americans in a relatively small area of Los Angeles, the East and Northeast area. There is a very, very great concentration of Mexican Americans.

"This area, however, under the councilmanic scheme, is split up into three councilmanic districts. The Mexican Americans are spread in the ninth, thirteenth and fourteenth districts."

"I think that it is clear why, even though the Mexican American comprises about 15 percent of the population of Los Angeles, there are no Mexican Americans on the City Council," Ortega said.

Ortega was asked how he viewed a current move to dissolve all of the councilmanic districts in Los Angeles and to conduct all future elections on an at-large basis, where all of the voters in the city make their selections from all of the candidates.

"The election of representatives at-large has been held to be legally proper in some cases," he responded, "but when it acts to delete a definite class vote, then it is illegal. I think it would be, in a case like Los Angeles."

Two speakers from the Mexican American community offered the Committee detailed reports on the continuing conflict between the police and Mexican Americans in East Los Angeles, and its political implications.

The first was Armando Morales, a doctoral candidate at the University of Southern California School of Social Work and author of articles and books on police-community relations as they pertain to Mexican Americans. Morales is a member of the Boards of several civic and community organizations working to improve police-community relations.

Morales stated that East Los Angeles had been the scene of four urban riots within a 12-month period, and that the underlying reason for the police-community confrontations there was political power.

"East Los Angeles has had more civil turmoil than any area in the United States for the years 1970 and 1971, and in its plea for help from politicians, it has been totally ignored by Los Angeles Mayor Sam Yorty, the Los Angeles City Council, the County Board of Supervisors, Governor Reagan and even President Nixon," Morales stated.

"This inattention merely reflects a symptom of political powerlessness, as only political power elicits political interest. Related to this and intensifying the problem is that Anglo-Saxon politicians are even less interested in the Mexican American poor."

"The current overt conflict between Mexican Americans and law enforcement agencies in Los Angeles is plainly a political confrontation where the police are using their legal authority and power to suppress and oppress Mexican American efforts toward political organization and social change.

"No longer is the police assault being directed to murderers, rapists and thieves, but rather the police are out to stifle dissent, harass non-conformists and contain the politically militant minorities. The police target is not criminality, but social and political deviance from the status quo."

"The silence of politicians only serves to give license to police to do what they wish."

Morales complained of a "double standard" of government rule of "selective democracy," in Los Angeles.

"Some people and some communities in Los Angeles enjoy the real advantages of a democracy, but others, such as Mexican Americans in East Los Angeles, do not. This is the primary reason why conflict exists between the police and Mexican Americans and the reason why these problems cannot be solved on the local Mexican American community level. Political self-determination has to become a reality if one wishes to see a final end to the conflict between the Mexican American community and the police," Morales emphasized.

The "double standards" of law enforcement range from drunk arrests to use of State conspiracy statutes to discourage political dissent, Morales claimed.

He stated that in East Los Angeles there are approximately 10,000 Spanish surnamed persons arrested annually for drunkenness or drunk driving; yet, in a middle-class Anglo-Saxon community across town, with the same rate of alcoholism, there are only 1,500 people being arrested per year for the same offenses.

"Americans have a right to political dissension and to demonstrate publicly," he continued. "However, the District Attorney used the state conspiracy statutes against Mexican Americans on at least three occasions-- the East Los Angeles high school blowouts in May 1968, the 1969 Biltmore Hotel 'Nuevas Vistas Ten' education demonstration, and the December 1969, Catolicos de la Raza demonstrations at St. Basil's Catholic Church. Rather than dealing with alleged law violations, disturbing the peace, etc., as individual acts and therefore misdemeanor offenses, the district attorney chose to use the conspiracy laws, felony offenses, as a political tool to discourage political dissent."

Morales also mentioned the "harassment and unwarranted arrests" of activists by police, as well as raids on activists' headquarters and private homes.

Rosalio Munoz, former student body president of UCLA and chairman of the Chicano Moratorium Committee, explained the original role of his organization: to place the issue of the Vietnam War, where a disproportionate number of Mexican Americans were serving and dying, before the Mexican American community.

"The role of the committee is one of politics," he said. "We engage in speech-plus activities, something very, very necessary to our community, because we have no real effective political representation. Because of this lack of representation and lack of effectiveness of the representation which we do have, political issues as defined by the standard institutions in this country do not relate to our people and their everyday lives."

The U. S. Commission on Civil Rights released the report on Mexican American and the Administration of Justice in the Southwest, which covered many of the problems which Mexican Americans encounter with law enforcement agencies and with the courts, in March 1970. The California State Advisory Committee to the Commission issued a report on the August 29, 1970 East Los Angeles riots and related police-community conflicts in September 1970. In that report it made several recommendations.

Dr. Julian Nava, a member of the Los Angeles Board of Education, told the Committee that there are 300 Mexican Americans serving on school boards nationally, and that in California, there are slightly more than 100.

In October 1969, Mexican American school board members got together to discuss common concerns for the first time, he reported, and they have met irregularly since that date, he said.

"We have concluded that there is little prospect where school boards are appointed that local powers are willing to appoint Mexican Americans," Nava continued. "We have also concluded that the election of Mexican Americans to school board membership is frequently the result of peculiar local circumstances and that most of the Mexican American school board members are elected by coalitions and when elected have a number of strings attached to it or restraints placed upon them for fear that if they speak up too clearly regarding Mexican American needs their political support will be withdrawn."

"It isn't a rosy picture, as I see it, for the future. The figure 100 may sound impressive, but it is infinitesimally small in relation to the proportion of Mexican American school children in our state."

Dr. Nava identified gerrymandering and appointive school boards as the two biggest obstacles to adequate Mexican American representation on school boards.

"The appointive boards I have become acquainted with have always reflected the two or three major vested interests in that community: commerce, banking, certain forms of industry or the agribusiness," he said.

The Civil Rights Commission staff report showed one Mexican American, Tony Sierra, of Calexico, on the State Board of Education. He was appointed by Governor Ronald Reagan, replacing Dr. Miguel Montes of Los Angeles, an appointee of Governor Edmund G. Brown and the first Mexican American to serve on the board in this century.

MEXICAN AMERICAN POLITICAL REPRESENTATION IN SMALL COMMUNITIES AND RURAL AREAS

Mexican Americans are represented on the governing bodies of California's small communities and rural areas in very low proportion compared to their population statewide.

The Civil Rights Commission staff study, conducted in January 1971, shows that Mexican Americans comprise only two percent of the governmental leaders in cities under 10,000 population, and only three percent of the governmental leaders in cities between 10,000 to 50,000 population.

In cities with under 10,000 population, there are 181 mayors, six, (three percent) of whom are Mexican American; 724 council men, 44 (6 percent) of whom are Mexican American; and 3,098 other officials, 39 (1 percent) of whom are Mexican American.

In cities with 10,000 to 50,000 population, there are 155 mayors, four (3 percent) of whom are Mexican American; 633 councilmen, 33 (5 percent) of whom are Mexican American, and 1,815 other officials, 42 (2 percent) of whom are Mexican American.

Rural counties, generally, appear to offer inadequate opportunities for Mexican Americans to participate in governmental functions.

Counties of high Mexican American population which have the lowest percentages of Mexican American officials, are, according to the study:

COUNTY	Total Number Officials	Total Number Mexican American Officials	% Mexican American Officials	1967 Public School % Spanish Surnamed
San Joaquin	75	0	0	16
Madera	60	0	0	27
Colusa	32	0	0	15
Kern	181	1	$\frac{1}{2}$	16
Yolo	80	1	1	15
San Benito	51	1	2	51
Monterey	205	3	$1\frac{1}{2}$	18
Santa Barbara	124	3	2	16
Tulare	144	3	2	28

Individuals from several rural areas appeared before the Committee, including San Benito County, which has a school population greater than 50 percent Mexican American, yet--according to the California State Roster for 1970--has only one Spanish surnamed official in city or county government, out of a total of 51 officeholders.

Speakers from these areas stated that pressures facing rural Mexican Americans who attempt to become politically active are quite different from those confronting urban Mexican Americans.

Frank Valenzuela, former mayor and city councilman in Hollister, San Benito County, described how he was forced to leave his community due to economic pressures when he spoke out against the use of braceros--contract Mexican farm laborers--who were depriving local residents of work.

Don Kates, a California Rural Legal Assistance (CRLA) attorney with offices in Gilroy, Santa Clara County, stated that Mexican Americans are generally excluded from grand jury service and that this works against the farm laborer in the rural communities.

"In this state, the grand jury investigates every type of local public activity--how the hospital runs, how the jail runs, how the welfare program runs," Kates explained. "One of the things we have found in rural communities is the fact that there are laws governing how growers operate, the conditions in the field, minimum wage, and so on. All of these laws are criminal laws, and they are all violated with complete impunity. I have never heard of a grower being prosecuted. In fact, I have just received answers to a request in San Bernardino County in which the District Attorney admitted he had never heard of a grower being prosecuted for a crime against the Mexican Americans in the history of that county, and I think I could confidently say that there has never been, in rural California, the prosecution of a grower for any crime, a violation of health and sanitation laws, minimum wage laws, or anything of that type."

Kates called grand jury service "the sole source of participation in government for the common ordinary citizen."

He stated that he made a study of the grand jury service in California's 20 counties with the greatest percentage of Spanish surnamed population. In all of them, he said, Mexican Americans were consistently underrepresented. In 15 of them, the underrepresentation was so serious that it raised the question of unconstitutional jury discrimination. Grand jury candidates are selected in California by judges.

"The courts have held that if the minority group percent of the population is three times as great as minority group percent of grand jurors over a period of some years, a presumption of unconstitutional selection will be held to have been raised. We found that in 15 counties (out of the 20 studied) there was more than a three-to-one discrepancy. In one county, no Mexican American had been a grand juror for 30 years."

Kates concluded:

"If the grand jury were composed, in part, of people who care about the farm workers in the field, it would be possible we would have some indictments and have some inquiries into why the District Attorney's offices find it important to prosecute people for some crimes but not important to prosecute them for others."

Mexican Americans who know that they are victims of a double standard of law enforcement see little value in involving themselves in the political system which fosters and nurtures it, according to statements made to the Committee by three former rural school teachers, all graduates of the farm labor stream who are presently attending the University of California at Davis as graduate students.

The trio, Cododac Colchado, Martin De Leon and Daniel M. Ruiz, prepared a paper for the Committee in which they stated that more than a third of the nation's migrant farm workers work at least part of the year in California.

"An estimated 190,000 agricultural migrant workers and their families were on the move in 43 counties in California during 1968," their report stated. "About 81 percent of them were of Mexican origin."

These workers' right to vote has been compromised "by means ranging from outright intimidation to restrictive laws which make registration difficult," the report said.

Andy Tobar described his efforts to encourage Mexican Americans in Mendota, a small town with 80 percent Mexican American population but less than 50 percent Mexican American voter registration, to become candidates for municipal office. He had talked to more than ten potential candidates, he said, none of whom would run. He added:

"Some were just beginning their businesses and they were fearful that their vote might jeopardize their business and their family's livelihoods. Some did not feel they were qualified. Because they were so fearful that they would do an inadequate job, they preferred not to get involved. Yet, in my experience with City Council meetings and Board of Trustee meetings, I think that Chicanos are more than qualified. But the thing is, we have never really been shown why we should get involved."

Tobar pointed out that in his experience, the media would not pay the same attention to Mexican American candidates that it would to other candidates, and, by stereotyping Mexican Americans, it reinforced Mexican Americans' feelings of inferiority."

"I think the responsibility also has to be on the media," he said. "They have got to take positive steps so that La Raza can look at themselves in a very positive sense, and once we start building our own self-image and the people around us start looking at the Chicano as a person who is capable of having intelligence, then we can start winning the elections."

Appendix A
WESTERNFIELD OFFICE
U.S. Courthouse & Federal Building
312 North Spring Street, Room 1730
Los Angeles, California 90012
Telephone: (213) 688-3437

January 29, 1971

Hon. John Burton, Chairman
Assembly Rules Committee
State Capitol
Sacramento, California 95812

Dear Mr. Burton:

The California State Advisory Committee to the United States Commission on Civil Rights is currently in the process of collecting information on the political participation of Mexican Americans in California.

It is doing this in its capacity as a factfinding arm of the Commission, a bipartisan, independent federal agency which submits reports of its findings and recommendations to the President and the Congress.

On January 21-22, 1971, the State Advisory Committee conducted a two-day open public meeting in the State Capitol. Some 40 witnesses offered statements on reapportionment, election codes, political appointments and other matters pertinent to the subject of our study.

To complete our report, the State Advisory Committee needs certain information regarding the personnel practices and staffing patterns of the California legislature.

We would appreciate it if the Assembly Rules Committee or the Assembly personnel office would provide our Committee with brief answers to the following questions:

1. What are the general hiring procedures of the personnel department?
2. How many employees does the Assembly presently have?
3. How many of these employees are in positions where they can help determine policy? (administrative assistants, committee staff members, etc.)
4. How many Mexican Americans (or Spanish surnamed, if statistics on the former are not available) are presently employed by the Senate?

2.

5. How many of these Mexican American (or Spanish surnamed) employees are in positions where they can help determine policy?

6. Does the Assembly Rules Committee or its personnel department have any "affirmative action" type of plan for minority hiring in effect? If so, when was that program inaugurated, and what has been its success?

If you have any other information which you feel would be helpful to this Committee, I hope that you will include it.

Thanks very much for your help.

Sincerely,



Herman Sillas, Jr.
Chairman
California State Advisory Committee

encl: Commission statement of authorized responsibilities

California Legislature

CHIEF ADMINISTRATIVE OFFICER
LOUIS J. ANGELO

EXECUTIVE SECRETARY
MARY LOUISE McNEELY

COMMITTEE SECRETARY
HAZEL LOMBARDO

MEMBERS
JOHN P. QUIMBY
LEO J. RYAN
L. E. TOWNSEND
ROBERT H. BURKE
RAY E. JOHNSON
ERNEST N. MOBLEY

Assembly Rules Committee

ROOM 3004, STATE CAPITOL

JOHN L. BURTON
CHAIRMAN

April 13, 1971

Mr. Herman Sillas, Jr.
Chairman, California State
Advisory Committee
U.S. Commission on Civil Rights
312 No. Spring Street, Room 1730
Los Angeles, California 90012

Dear Mr. Sillas:

Please excuse this delayed acknowledgement of your January 29 letter requesting information relating to hiring practices of the Assembly, especially as they relate to employment of non-whites.

First of all, the Assembly Rules Committee in most instances merely responds to requests from individual members or committee chairmen to approve the employment of individuals who must meet minimum standards of competence.

With respect to the employment of district office personnel, the Committee has the policy of allowing the member complete freedom of choice. With respect to professional staff for committee and research assignments, the committee takes steps to insure minimum qualifications and competence in the respective subject area specialities. In this regard, there has never been a line drawn on racial, ethnic, religious or other grounds -- including sex. The basic criterion has always been competence.

As you can appreciate, the Committee has not heretofore kept record of the numbers or percentage of employees in the various racial or ethnic categories. However, in response to your inquiry I have completed an informal survey and the results are as follows:

Mr. Herman Sillas, Jr.
April 13, 1971
Page 2

1. The Assembly has 709 employees, 105 (14.8%) of whom are non-white. Job descriptions and responsibilities are, of course, continually changing but it is our opinion that about 40% of the Assembly staff are in positions where they can directly affect policy. These are committee consultants and assistant consultants, administrative assistants, research assistants, legislative interns, and supervisorial personnel. Most of the remaining employees are secretaries, messengers, machine operators, and assistant sergeant s-at-arms.
2. The informal "census" indicates that about 30% of the Assembly's minority group employees are Mexican-American and that about one-third of these are in "so-called" policy positions.

When we were in a position to fill staff vacancies in January, we discovered that there were very few non-white applicants for work in the Assembly. We asked the Department of Human Resources, University of California, Davis, Placement Office, Youth Opportunity Center, and the Manpower Development and Training Agency to refer job seekers to us. These contacts were very productive. We hired a number of their referrals.

Unfortunately, it is much easier to fill clerical positions than it is to fill other positions. No vacancies exist at the moment, but if a member were to ask us tomorrow to refer some prospective consultants or administrative assistants to him for employment interviews, we would not be in a position to suggest very many non-white persons. We have nearly a hundred white applicants for such positions -- we have only a handful of non-white applicants.

Incidentally, my comments about the difficulty of minority recruitment apply particularly to the location of Chicano applicants. I would appreciate hearing whatever suggestions you might have towards filling more positions with Mexican-Americans and other minorities.

Sincerely,



JOHN L. BURTON
Chairman, Assembly Rules Committee

APPENDIX C

WESTERN
U.S. Courthouse & Federal Building
312 North Spring Street, Room 1730
Los Angeles, California 90012
Telephone: (213) 688-3437

January 29, 1971

Hon. James R. Mills
Senate Rules Committee
State Capitol
Sacramento, California 95812

Dear Mr. Mills:

The California State Advisory Committee to the United States Commission on Civil Rights is currently in the process of collecting information on the political participation of Mexican Americans in California.

It is doing this in its capacity as a factfinding arm of the Commission, a bipartisan, independent federal agency which submits reports of its findings and recommendations to the President and the Congress.

On January 21-22, 1971, the State Advisory Committee conducted a two-day open public meeting in the State Capitol. Some 40 witnesses offered statements on reapportionment, election codes, political appointments and other matters pertinent to the subject of our study.

To complete our report, the State Advisory Committee needs certain information regarding the personnel practices and staffing patterns of the California legislature.

We would appreciate it if the Senate Rules Committee or the Senate personnel office would provide our Committee with brief answers to the following questions:

1. What are the general hiring procedures of the personnel department?
2. How many employees does the Senate presently have?
3. How many of these employees are in positions where they can help determine policy? (administrative assistants, committee staff members, etc.)
4. How many Mexican Americans (or Spanish surnamed, if statistics on the former are not available) are presently employed by the Senate?

2.

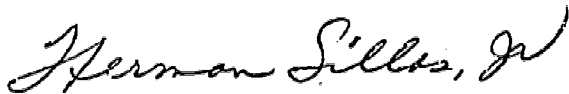
5. How many of these Mexican American (or Spanish surnamed) employees are in positions where they can help determine policy?

6. Does the Senate Rules Committee or its personnel department have any "affirmative action" type of plan for minority hiring in effect? If so, when was that program inaugurated, and what has been its success?

If you have any other information which you feel would be helpful to this Committee, I hope that you will include it.

Thanks very much for your help.

Sincerely,



Herman Sillas, Jr.
Chairman
California State Advisory Committee

encl: Commission statement of authorized responsibilities



STATE OF CALIFORNIA

SENATE

SACRAMENTO, CALIFORNIA 95814

JAMES R. MILLS
PRESIDENT PRO TEMPORE

April 14, 1971

Mr. Herman Sillas, Jr.
Western Field Office
U.S. Courthouse & Federal Building
312 North Spring Street, Room 1730
Los Angeles, California 90012

Dear Mr. Sillas:

I am sorry for the delay in responding to your request for data on our personnel policies and hiring practices. I hope this reply is not too late for your use.

I can only answer for the persons hired directly by the Senate Rules Committee. The staffs of Members of the Senate are chosen by the individual member and not by the Rules Committee. The Committee only serves to check that the Member is authorized to hire the staff member or members he wishes. Consequently, no Senate-wide hiring policy for personal staffs has been established.

However, the Senate Rules Committee does employ 60 persons, four of whom are currently of a minority.

This alarming imbalance was brought to my attention upon assuming the Office of President Pro Tempore when I asked for a survey on Senate minority employment practices.

Applicants for secretaries are required to take both written and oral tests to determine their clerical and typing skills. This is a test devised by the State Personnel Board especially for the Senate.

Of the four minority persons employed, three are Mexican-Americans.

The Rules Committee hires personnel for the Senate Desk, the Engrossing and Enrolling Desk, the Senate Steno Pool, Sergeants-at-Arms, duplicating, mail room and special services. None of these jobs are of a policy-making nature.

After the survey was made in March, 1971, all Senate Rules members were made aware of its contents and department heads were told of the imbalance and were asked to suggest ways to correct it.

The Rules Committee is currently formulating a practical plan to make Senate employment reflect more accurately the number of minority persons in California's population.

I hope this letter answers your questions and I look forward to receiving your final report.

Sincerely,


JAMES R. MILLS

-lch

SPANISH SURNAME VOTES IN THE
DEMOCRATIC CONGRESSIONAL PRIMARY ELECTION
CALIFORNIA 29TH DISTRICT

JUNE 2, 1970

<u>AREA</u>	<u>SPANISH-SURNAME VOTERS</u>	<u>CALDERON</u>	<u>DANIELSON</u>
Belvedere	79%	2,739	654
E.L.A.	67%	1,861	474
S.San Gabriel	39%	420	280
S. El Monte	36%	333	267
Monterey Park	26%	3,993	3,271
Rosemead	23%	1,849	1,959
San Gabriel	23%	1,145	1,358
Los Angeles	23%	8,965	12,501
El Monte	21%	35	32
Alhambra	15%	1,863	4,342
Rio Hondo	13%	303	380
Absentee Ballots		184	439
Total		23,506	25,518
TVC	61,872 (including minor candidates)		

PARTICIPATION OF MEXICAN AMERICANS IN CALIFORNIA GOVERNMENT

Background

In 1960 the U. S. Census reported that of California's total population of 15,717,204, the Spanish surnamed population was 1,426,583 or 9 percent. In July 1967 the California State Department of Finance estimated that of a total 1967 population of 19,478,000, the Spanish surnamed population was 2,162,100 or 10.9%. Since the Spanish surnamed population increased 1.9 percent in the seven years 1960-1967, projected growth for the years 1968-1970 would be 8 percent. In other words, we can estimate that for 1970, Spanish surnamed people comprise 11 percent of the State's population.^{/1}

Also in 1967 the State Department of Education issued by counties the percent of Spanish surnamed enrollment in the public schools.^{/2} By correlating this data with the State's estimates of each county's population in 1970, it can be estimated that over 80 percent of the Spanish surnamed population is concentrated in 12 of the 58 counties. These counties, each of which has total populations of over 100,000 persons, are Fresno, Kern, Los Angeles, Merced, Monterey, Riverside, San Bernardino, San Joaquin, Santa Barbara, Santa Clara, Tulare, and Ventura.

Six additional counties (Colusa, Imperial, Kings, Madera, San Benito and Yolo) although relatively low in population, have high percentages of Spanish surnamed public school populations. By estimating the 1970 Spanish surnamed

population of these counties and adding them to the above 12 counties, we can account for over 90 percent of the Spanish surnamed population.

Three additional counties should be noted. In 1967, San Francisco, Santa Cruz, and San Diego Counties' Spanish surnamed school populations were 14 percent, 13 percent, and 11 percent respectively; the 1960 U. S. Census Report suggests that many of the remaining Spanish surnamed population, as estimated by the state, can be accounted for in these counties.

/3

Selected 18 Counties With Mexican American Populations

County	State Dept. of Finance Total 1970 pop. estimates	1967 Public School % Spanish Surname
Colusa	12,200	15.42
Fresno	420,500	28.58
Imperial	83,300	44.54
Kern	343,700	16.05
Kings	68,900	22.25
Los Angeles	7,061,700	15.82
Madera	45,400	27.98
Merced	108,400	18.28
Monterey	247,700	18.48
Riverside	451,500	17.53
San Benito	19,100	51.38
San Bernardino	703,600	15.59
San Joaquin	298,200	16.45
Santa Barbara	264,100	16.46
Santa Clara	1,065,600	15.04
Tulare	196,100	27.79
Ventura	382,500	17.11
Yolo	88,400	15.21



Shaded Area - Counties with high concentration of Mexican American population.

Mexican Americans in Federal, State and Local

Elected and Appointed Offices^{/4}

Each year the Secretary of State of California issues a book entitled California Roster of Federal, State, County and City Officials.^{/5} This book includes the names and locations of every major elected and appointed official of the state at all levels of government; it is compiled with the "cooperation of Federal, State, County, and City and other agencies".^{/6} State civil service employees are included only when their positions rely directly or indirectly on appointment by the Governor's office, other executive office officials and/or the State Legislature; city and county officials are included only when their positions rely directly or indirectly on appointments by elected officials.^{/7}

The 1970 Roster lists 15,650 positions at all government levels; only 310 or 1.98 percent were held by Mexican Americans.^{/8} The majority of these (241) were officials in city and county offices; 1.2 percent of California's Federal and State offices were held by Mexican Americans, although they comprise nearly 12 percent of the State population.

1970 California Roster of Federal, State, County and City Officials

<u>Category of Office</u>	<u>Total # in Office</u>	<u>Total # Mexican American</u>
Federal Elected and Appointed	525	7 (1.3%)
State Legislators and Advisors	195	2 (1%)
Executive Offices of State	2,291	13 (Less than 1%)
State Boards, Commissions and Advisories	1,732	47 (2.7%)
City and County Government Officials	10,907	241 (2.2%)
<hr/>		
TOTALS - Gov't all levels	15,650	310 (1.98%)

In the Roster, there is a listing of the top officials for each State in the Union. California's list includes 40 top State offices: Governor, Lieutenant Governor, Secretary of State, Treasurer, Controller, Attorney General, Superintendent of Public Instruction, Chief Justice of Supreme Court, Director of Finance, Director of Public Works, Director of Water Resources, Director of Motor Vehicles, Director of Public Health, Director of Mental Hygiene, Director of Agriculture, Director of Industrial Relations, Director of Social Welfare, Director of Conservation, Director of Professional and Vocational Standards, Director of Veterans Affairs, Director of Corrections, Director of Human Resources Development, Director of Youth Authority, Director of General Services, Director of Rehabilitation, Director of Disaster Office, Director of Fish and Game, Director of Alcoholic Beverage Control, Director of Parks and Recreation, Director of Housing and Community Development,

Director of Commerce, Director of Health Care Services, Commissioner of Savings and Loan, Commissioner of Corporations, Commissioner of Real Estate, Commissioner of Insurance, Commissioner of Highway Patrol, Superintendent of Banks, State Fire Marshal, Commanding General of the State Military Forces. None of these offices are filled by Mexican Americans. ^{/9}

Mexican Americans in Offices of the Federal Government

Few Mexican Americans are found in elected and appointed positions of the Federal Government specifically serving Californians. In the national legislature (Senate and House of Representatives) there is only one Mexican American. ^{/10}
In the U. S. Court of Appeals and the U. S. District Courts (which include U. S. judges, referees, probation officers, commissioners and marshals) there are 262 positions; only six are Mexican American (2 percent) None of these six are judges or referees. In California there are four U. S. Attorneys and 87 Assistant U. S. Attorneys; none of these are Mexican American. ^{/11}

Mexican Americans in Offices of the State Government

Legislature. In the California State Legislature there are 120 seats, and one of these is held by a Mexican American. ^{/12} When combined legislative staff is examined (including the Senate and Assembly Attaches, the Office of the Auditor General, the Joint Legislative Budget Committee technical staff and the Legislative Counsel) out of nearly 75 staff advisors, only one is Mexican American (1.3 percent)

Judiciary. At the State level in the courts there are 132 positions

including the seven Supreme Court Justices, the Judicial Council, the Administrative Office of the Courts, the Commission on Judicial Qualifications and the State Court of Appeals.^{/13} No Mexican Americans hold any of these high offices.

Executive. In California there are seven elected officials responsible for the administration and enforcement of State laws and regulations: the Governor, the Lt. Governor, the Secretary of State, the State Controller, the State Treasurer, the Attorney General, and the State Superintendent of Instruction. These seven officials, none of whom are Mexican American, and the State Legislature, select and appoint all State Boards, Advisories, and Commissions.

The Roster lists 28 advisors in the Governor's office none of whom are Mexican American. One hundred officials are listed in the Lt. Governor's office; two are Mexican American. In the Secretary of State's, Treasurer's, and Superintendent of Instruction's offices there are 31 staff advisors; none of whom are Mexican American.^{/14} There are no Mexican Americans among the State Controller's 12 assistants although there are three Mexican Americans who are among the 144 Tax Appraisers, a position appointed by the Controller. In the Attorney General's office there are 283 deputies, representatives and assistant attorney generals; one assistant attorney general is Mexican American.

The 135 boards, commissions and advisories at the State level in California provide a continuous feedback to the State officials on the needs and concerns

of the population. Some of these boards set policy and make budget decisions which broadly affect the entire state. These include the State Board of Education, State Board of Equalization, Public Employment Retirement System, Regents of the University of California, Commission on Housing and Community Development, and the Governor's Cabinet. Of the 69 persons on these boards, only two (2.8 percent) are Mexican American.

Other boards and commissions advise and regulate specific aspects of life and culture in the State. These include the Highway Commission, Pacific Marine Fisheries Commission, Heritage Preservation Commission, Youth Authority Board, and Air Resources Board. Of the 59 persons on these boards and commissions, only one (1.7 percent) is Mexican American. Throughout the State there are 1,732 persons who serve full time or in an advisory capacity on the State's 135 boards, commissions and advisories; according to the Roster, 47 (2.7 percent) of these persons are Mexican American.

Finally, the Roster itemizes high level civil service staff which provide advisory assistance to the elected officials and to the appointed boards and commissions. Many of these positions are personally selected by elected officials and are responsible for day to day policy and planning. There are 1,686 offices in the Roster, seven of which are occupied by Mexican Americans, or less than one percent.

Mexican Americans in Offices of County and City Government

Statewide Participation. The Roster lists a total of 10,907 officials in the county and city governments; 241 (2.2 percent) of these are Mexican Americans

Governing the 58 counties in California are 296 county supervisors and 1,402 other elected and appointed officials. There are nine Mexican American supervisors (3.4 percent) and 13 Mexican Americans who occupy other official offices (less than one percent). Not included in the above tabulation are the superior court judges, municipal court judges, justice court judges, and county constables. There are 1,179 such offices in the State 21 of which are Mexican American. Specifically, there are 407 Superior Judges in California, three of whom are Mexican American, and all of whom work in Los Angeles County. There are 315 Municipal judges and 240 justice court judges; nine of these are Mexican Americans. Finally, there are 217 constables; nine of these are Mexican Americans. In other words, Mexican Americans represent about 1.7 percent of the county and city judiciary process.

In 1970 there were 403 incorporated cities in the state. There were 181 cities with populations under 10,000; 155 cities with populations from 10,000 to 50,000; 64 cities with populations from 50,000 to 500,000; and three cities with populations over 500,000 (Los Angeles, San Diego, and San Francisco).⁴⁵

Participation of Mexican Americans in Local Government - By Size of City

<u>Population</u>	<u>Mayors Non MA/MA</u>	<u>Councilmen Non MA/MA</u>	<u>Others* Non MA/MA</u>
0-10,000	175/6	680/44	3059/39
10,000 to 50,000	151/4	600/33	1772/42
50,000 to 500,000	63/1	312/20	911/15
Over 500,000	3/0	32/1	66/0

*First number is total nonMexican American; 2nd number is Mexican American.

In cities with under 10,000 population, there are 181 mayors, six (3 percent) of whom are Mexican American; 724 councilmen, 44 (6 percent) of whom are Mexican American; and 3,098 other officials, 39 (1 percent) of whom are Mexican American. In summary, Mexican Americans are in 2 percent of the county and city governments' decision making positions in cities of this size.

In cities with 10,000 to 50,000 population, there are 155 mayors, four (3 percent) of whom are Mexican American; 633 councilmen, 33 (5 percent) of whom are Mexican American; and 1,815 other officials, 42 (2 percent) of whom are Mexican American. Mexican Americans occupy 3 percent of the decision making positions in these cities.

In cities with 50,000 to 500,000 population, there are 64 mayors, one (1 percent) of whom is Mexican American and 926 other officials, 15 (1 percent) of whom are Mexican American. Within these city governments, Mexican Americans represent 2.7 percent of the officials.

Finally, in California's three largest cities ; there are 99 mayors, councilmen and other officials, only one of whom is Mexican American.

Participation of Mexican Americans in 18 selected counties. As mentioned above, most of the Mexican American population reside in 18 of California's 58 counties. A review of the participation of Mexican Americans in local government, specifically in these counties and cities, will perhaps give a more realistic assessment of the Mexican American representation at the local level. /16

/17

Participation of Mexican Americans in 18 Selected Counties
(City and County Government Officials)

County	Total # Officials	Total # MA	% MA
Fresno	256	17	7
Kern	181	1	-
Los Angeles	1247	41	3
Merced	140	6	4
Monterey	205	3	1
Riverside	295	13	4
San Bernardino	254	7	3
San Joaquin	75	-	-
Santa Barbara	124	3	2
Santa Clara	271	11	4
Tulare	144	3	2
Ventura	192	6	3
Colusa	32	-	-
Imperial	118	9	7
Kings	79	3	4
Madera	60	-	-
San Benito	51	1	2
Yolo	80	1	1
TOTAL	3,806	125	3.2%

In 16 of the 18 counties, less than 5 percent of the city and county officials are Mexican American; four of the counties have less than 1 percent or zero percent participation of Mexican Americans (Kern, San Joaquin, Colusa, and Madera Counties). Five additional counties have less than 3 percent participation of Mexican Americans in local government (Monterey, Santa Barbara, Tulare, San Benito, and Yolo Counties). The largest number of Mexican Americans in the State reside in Los Angeles County; yet there are no Mexican Americans in county government decision making positions. In the 78 cities within L. A. County, there are only 41 (3 percent) Mexican American officials out of 1,247 offices.

In two of the 18 counties, Fresno and Imperial, 7 percent of the city and county officials are Mexican American. Although these counties have very high percentages of Mexican Americans in their populations. Fresno's Spanish surnamed school population is 29 percent and Imperial's is 45 percent.

In conclusion, the majority of Mexican Americans reside in 18 counties; yet, out of 3,804 offices in these county and city governments, Mexican Americans occupy only 125 or 3 percent.

FOOTNOTES

- /1 U. S. Census figures for 1970 on the Spanish surnamed are not yet available. Therefore, we have used State 1967 figures, to estimate 1970 Spanish surnamed percent of total population.
- /2 See State Department of Education Report, Racial and Ethnic Survey of California Public Schools, Part One, Sacramento, 1967 Appendix E.
- /3 Every effort was made to obtain the number of Mexican American and/or Spanish surname registered voters. However, figures were not available for either the State as a whole or for individual counties. A standard formula for estimating registered voters (the average of total number registered for both primary and general elections multiplied by the percent of Spanish surname in the population) suggests that there were over 900,000 Spanish surnamed registered voters in 1970. However, there is no information available on exact location and density of these potential voters. Those contacted for possible numbers of Spanish surname registered included both the Democrat and Republican Central Committees, the Secretary of State, Los Angeles County Registrar of Voters and the Los Angeles County Planning Commission.
- /4 In tabulating the number of Mexican American officials in the California Roster, an effort was made to eliminate those Spanish surnamed individuals whose ethnic heritage is other than Mexican. Commission staff attempted to verify as many names as possible by letter or telephone, but staff and time limitations prevented verification of all 15,000 plus names. In some cases names of individuals of Mexican American heritage with non-Spanish surnames were added to the totals. Therefore, the remainder of the paper refers to Mexican American specifically rather than the larger Spanish surnamed group.
- /5 All the data is derived from the California Roster unless specifically noted otherwise, 1970 California Roster of Federal, State, County and City Officials compiled by the Secretary of State, Office of Procurement, Documents, Sacramento, California.
- /6 California Roster, Inside Front Cover.

/7

Not all city and county officials are included, but in general most major elected and appointed officials with decision-making powers are recorded. A typical entry for a city would include mayor, councilmen, city clerk, district attorney, police chief, fire chief, treasurer, city manager, parks and recreation director, public service department manager, superintendent of buildings, planning director and school superintendent.

/8

Some individuals occupy more than one office. In that case they are counted twice, or as many different times as their names appear in a new capacity.

/9

California Roster, pp 186-187.

/10

In addition to the one Mexican American from California, there are two Congressmen from Texas, one Congressman and one Senator from New Mexico.

/11

The Roster does not include all Federal appointments in 1970 such as Manuel Ruiz, U. S. Commission on Civil Rights or Martin Castillo, former Chairman, Cabinet Committee for the Spanish Speaking.

/12

In November 1970 one additional Mexican American was elected to the State Assembly.

/13

Some of the judges are in several capacities within this category and are counted twice in those cases.

/14

See below for civil service employees with policy and decision making powers.

/15

San Francisco is both a city and a county and is tabulated in both categories.

/16

None of California's unincorporated areas are included in these tabulations.

/17

Judiciary is not included here. Mexican American representation in local judiciary is discussed elsewhere in the paper.