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Friday, February 12, 1971

REAPPORTIONMENT HEARING

Mexican-Americans Decry Representation Failures

The first hearing on reapportionment of Congress and the State Legislature this year opened this morning in East Los Angeles with Mexican-American spokesmen charging they have been denied their fair share of representatives.

The Senate Committee on Elections and Reapportionment convened at East Los Angeles College.

Herman Sillas, chairman of the California Advisory Committee to the U.S. Civil Rights Commission, graphically demonstrated the situation of the Mexican-Americans in the current political process through use of a "pumpkin pie" analogy.

Sillas cut a piece of a pumpkin pie he had brought with him which he said represented the method by which the Mexican-American vote was split. He then covered the pie slice with whipped cream topping completely obliterating it, as an analogy to the way the Mexican-American vote was covered up by the white vote through gerrymandering.

Showing the concoction to the committee members, Sillas said "I defy anybody to find a Mexican-American in that mess."

Recent statements by the committee that difficulties in obtaining reliable figures on Mexican-American population were complicating their job were dismissed by Sillas.

"The community today knows you have the tools and resources to find us if you really want to," he said.

The committee chairman, Sen. Mervyn M. Dymally, Los Angeles Democrat, opened the hearing by declaring that the concern of California's 2.5 million Mexican-Americans over being gerrymandered out of representation is justified.

He termed the Mexican-Americans the state's "most clearly unrepresented" racial or ethnic group and said his committee would attempt to change that long-standing situation.

Assemblyman Henry Waxman who chairs the Assembly's reapportionment committee echoed Sen. Dymally's sentiments.

Congressman Ed Roybal of Los Angeles, the only Mexican-American of California's 38 representatives and two senators, noted a mistrust of legislative intention which appeared likely to become a common theme among Mexican-American community representatives scheduled to appear at the hearing.

He said the same promises

(Continued on Page A-2)

IN EAST L.A.

Reapportionment Hearing Conducted

(Continued from Page 1)

about improving Mexican-American representation had been made by the legislative committees studying reapportionment following the 1960 census.

Those promises had resulted in no real change, he noted.

If the situation is not corrected during this session of the Legislature, Roybal said, Mexican-Americans will become ever more disenchanted with the political system as it exists. That dissatisfaction could lead to the community choosing to boycott the Democratic party to which they had formerly given their allegiance, the Democratic congressman noted.

Also appearing at this morning's hearing was Norwalk Councilman Rudy Valdez who joined with Roybal in pointing to the disenchantment of the Mexican-American community with the political process.

This "almost complete political emasculation" through gerrymandering had led to a "whole and an understandable distrust" of the political system, Valdez said.

Speakers this morning took note of statements by State Sen. H. L. Richardson and Dymally that setting up of districts for Mexican-Americans face tough sledding in the Legislature.

They challenged the committee members to make their influence result in some meaningful change in districting of Mexican-American areas.

The Dymally and Waxman committees will prepare recommendations on reapportionment of their respective houses of the legislature for action on redistricting during the current session.

Redistricting occurs every 10 years following receipt of new population figures made available through the decennial U.S. census.

Reapportionment Possibility: 81 Solons Could Retire,

THE SACRAMENTO BEE Saturday, February 6, 1971 Page A3

Draw Pensions Of $6.6 Million

Eighty-one of the 120 state legislators could retire instead of running for re-election next year — if their districts are altered through reapportionment — and be eligible for pension bonuses totaling $6.6 million.

An article in the current issue of California Journal, a magazine devoted to state government, notes that such bonuses would result from a law pushed through in 1965. It sought to "soothe the ruffled feathers" of legislators who would have been forced to run against colleagues in 1966 in districts shifted around because of the reapportionment ordered under the Supreme Court's "one man, one vote" ruling.

Usual Procedure

Normally, a legislator cannot start drawing a pension until he has served at least 15 years or reached age 60. Full pensions are available only after serving at least 20 years or reaching 60.

But, the Journal says, the 1965 law permits them to retire and start drawing pensions after serving only four years if their district's boundaries are altered even slightly by reapportionment. Most — or possibly all — districts will be altered this year through reapportionment based on the 1970 census.

So the 81 eligible under the special reapportionment pension plan can either retire next year and start collecting their pensions, or run for re-election with no fear of forfeiting generous pension payments, even if they lose.

This would permit them to collect $6.6 million more than if they had to wait until serving at least 15 years or reaching the age of 60.

Noted By Unruh

Last December, Jess Unruh, the defeated Democratic nominee for governor, took note of the special plan in an interview and contended that it will make for more honest campaigns next year by those who fear for their chances of re-election.

Unruh — who has applied for a $8,094 a year pension due him because of his 16 years in the Assembly — said the fact that legislators will not face loss of their pensions, even if they lose an election, will make the candidates less dependent upon lobbyists for campaign contributions.

In 1969 Sen. James R. Mills, D-San Diego County, now president pro tem of the Senate, authored a law to stop the generous retirement benefits for those whose districts are reapportioned. However, the new law affects only those taking office in 1969 or later, the article notes.

State Pays Most

The legislative pension plan cost the state taxpayers $600,000 last year, since legislators contribute less than 10 per cent of the cost of the pensions. In contrast, the article continues, the pension plan for Civil Service state employes requires the employes to contribute about 30 per cent of the cost.

Legislators contribute 4 per cent of the salaries into the plan. Eventually, they can receive up to two-thirds of their salaries — which now are $19,200 a year, — plus cost-of-living raises.

Could Retire

Under the pension terms outlined in the article, Sen. Randolph Collier of Siskiyou County, dean of the legislature who has served since 1928 could retire on a $15,006 pension. Assemblyman Vincent Thomas of Los Angeles County, dean of the Assembly with 32 years of service, could retire on $14,662 a year.

According to the article, nine other Assemblyman and 12 other senators could retire with pensions of more than $10,000 a year. Thirty state legislators — 15 assemblymen and 15 senators — either retired or were defeated in bids for re-election in the 1966 shakeup, it adds, and benefited from the special reapportionment bonus plan.

Dymally Calls Mexican-American Under-Represented

SACRAMENTO BEE 1-21-71

Sen. Dymally Testifies At Hearing

Bee Photo

By John Berthlesen

State Sen. Mervyn Dymally told a committee on civil rights today that there is little chance of creating seats for Americans of Mexican descent in the state Legislature.

For one thing, said the new Senate Reapportionment Committee chairman, there is no way to reapportion areas which contain large numbers of Americans of Mexican heritage so that they could gain such representation.

Dymally was speaking to the California Advisory Committee to the US Commission on Civil Rights. He said Americans of Mexican ancestry are being ignored in their quest for political power.

Every major ethnic group in the United States was asked to state its national origin on the 1970 US Census — except for Americans of Mexican descent, Dymally said.

He added that while every person

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in the United States was asked if he is "White, Negro or black, Japanese, Chinese, Filipino, Hawaiian, Korean, Indian or other," only 5 per cent of the population was asked if they are of Spanish surname descent.

"In my statistical naivete, I question whether a 5 per cent sample is sufficient for me to ascertain anything with certainty," Dymally said.

The conference held in the Capitol, was called to attempt to deal with the fact that Americans of Mexican background — who compose nearly 12 per cent of California's population — hold less than 2 per cent of the state's key elective and appointive jobs and even with reapportionment are not likely to make any gains soon.

A report titled "Participation of Mexican-Americans in California Government" that was released Tuesday showed that none of the top 40 posts in the state is held by Americans of Mexican descent.

Also, while in Los Angeles County only 3 per cent of the top city and county officials are Americans of Mexican background, that ethnic group makes up 13 per cent of the population.

Charges were made this morning by two professors at California State College at Los Angeles who are of Mexican descent — Dr. David Lopez Lee and Prof. Henry Pacheco — that gerrymandering has deprived their people of rightful political power.

"We have 16 per cent of the total population of this state," Lopez Lee told the committee. "Legally, we should have 16 per cent of the representation."

He added that six Assembly seats could be created for Chicanos in Los Angeles County, based on the ratio of one assemblyman per 25,000 persons.

There are now roughly 1½ million Americans of Mexican ancestry in Los Angeles Couty, he said.

Discussing Dymally's remarks on the census, he added:

"One has the impression the (exception of Americans of Mexican heritage) from the census was intentional. The Mexican-American was left out, yet he is the second largest minority in the United States."

Mexican-Americans' Campaign for Legislative Power Begins

Chicano and Anglo Political Activists Join Forces to Gain Representation in Elective Offices Through Redistricting

L. A. Times BY BILL BOYARSKY 1/21/71
Times Political Writer

A new drive to persuade the Legislature to increase the representation of California's largest ethnic minority — Mexican-Americans — was announced Wednesday.

"The tokenism of the past will no longer be tolerated," said Eleanor Wagner, executive secretary of Californians for Liberal Representation.

She was one of several political activists — Chicano and Anglo — who told a news conference of the plans for Mexican-Americans to get a bigger slice of the pie when the Legislature draws new State Senate, Assembly and congressional districts in this year's reapportionment.

Refers to Redistricting

The appeals will be made at hearings of the U.S. Commission on Civil Rights Thursday and Friday in Sacramento and at the meeting of the Democratic State Central Committee in the capital during the weekend.

Referring to the Democratic-controlled Legislature's failure to create districts with substantial Chicano population in the 1961 reapportionment, Richard Calderon, who ran and lost in a Congressional race last year, said: "The Establishment, the Democratic Party, is doing a very good job of radicalizing our community."

This year, the Legislature is again under Democratic control and Calderon and others at the press conference pointed out that the Mexican-American vote is predominantly Democratic.

Calderon released figures showing the Chicano vote in East Los Angeles has been split up so that Mexican-Americans are in the minority in all districts.

"With the . . . past pattern of gerrymandering, it is very difficult to achieve a base for representation at any level" he said.

The Californians for Liberal Representation put it this way: "The new census reveals that 15% of our California population is composed of Spanish-surname residents. And yet we find only two assemblymen out of 80, or less than 3%; no state senators . . . only one congressman out of 38 . . ."

Dr. David Lopez Lee, Cal State Los Angeles professor and a candidate for the Community Colleges Board of Trustees, said: "Given that most Mexican-Americans live in districts, we should then have about 12 assemblymen, six senators and six congressmen."

A Politically Touchy Issue

Calderon acknowledged that the issue is a politically touchy one because Los Angeles is due to lose three assemblymen in the current reapportionment. That is because population is shifting to Orange County and other suburban areas.

This means, he said, that incumbent legislators will be trying to create districts to save the jobs of colleagues—and won't be in a mood to worry about drawing districts to help newcomers.

In Sacramento, Chairman Henry Waxman (D-Los Angeles) of the Assembly Elections and Reapportionment Committee, said the "Mexican-American Community is one of several groups" seeking more representation and all will be given a chance to present their views at legislative hearings. Waxman is a member of the Californians for Liberal Representation.

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Eastside Journal 1-21-71

Civil Rights Report

Show Mexican-Americans hold few government jobs

Mexican Americans, with nearly 12 percent of California's population, hold less than two percent of the state's key elective and appointive jobs, a special staff report to the United States Commission on Civil Rights revealed recently.

The report, titled "Participation of Mexican Americans in California Government," showed that none of the top 40 posts in the state are held by Mexican Americans, and that in Los Angeles County only 3 percent of the top city and county officials are Mexican Americans. Los Angeles County has 13 percent Mexican American population.

OPEN MEETING

The statistics were released by the Commission's Western Field Office here in Los Angeles. A full report will be presented during a two-day open meeting of the agency's State Advisory Committee in Sacramento on Thursday and Friday, Jan. 21-22.

Using the 1970 California roster of federal, state, county and city officials, issued by the Secretary of State of California, the report shows that of the state's 15,650 major elected and appointed officials at all levels of government, only 310 (1.98 percent- are Mexican American.

The majority of these—241—are officials in city or county offices. The remaining 69 hold federal or state offices in California, representing only 1.2 percent of the officials in such positions.

KEY AREAS

In several key areas, including the foster listing of the state's 40 top offices, there are no Mexican Americans at all.

The roster shows 132 judicial positions at the state level, 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. The report comments: "No Mexican Americans hold a high office in this state judiciary framework."

The roster lists 28 advisors in the governor's office and 31 in the offices of the secretary of state, treasurer and superintendent of public instruction, none of whom, the report states are Mexican American.

POPULATION

The report estimates that more than 90 percent of the state's Mexican American population reside in 18 of California's 58 counties.

Of these, the counties with the highest percentage of Mexican American city and county government officials are Fresno and Imperial, each with seven percent. (Fresno's Spanish-surnamed school population is 29 percent! Imperial's is 45 percent.

Counties with high Mexican American population but with the least number of Mexican American officials are Kern (one out of 181), Monterey (three out of 205), Sa nJoaquin (none out of 75), Colusa (none out of 32), Madera (none out of 60), and Yolo (one out of 80).

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Latin Leader Raps Reagan, Ex-Gov. Brown

Says Both Failed to Live Up to Promises to Appoint More Mexican-Americans

L. A. Times

BY JERRY GILLAM
Times Staff Writer

1/21/71

SACRAMENTO—A Los Angeles Mexican-American leader Thursday criticized Gov. Reagan and former Gov. Edmund G. Brown for failing to live up to campaign promises to appoint more Mexican-Americans to top state jobs.

In testimony before an advisory committee to the U.S. Commission on Civil Rights, Dr. Francisco Bravo, a former Reagan appointee to the State Board of Agriculture, said Mexican-Americans "did a lot for the present Administration" in the 1966 and 1970 elections "but they (the Administration) just haven't come across" with enough high-level appointments.

As for Brown, Bravo said Brown told him he was not an "employment agency."

Bravo was appointed to the Board of Agriculture by Reagan in 1967 for a term that expired last Friday. The only Mexican-American member, he has been replaced by Warren H. Brock of El Centro, a grower-shipper.

Former Police Commissioner

Bravo, a former Los Angeles police commissioner, told the civil rights panel he strongly feels that a Mexican-American should serve on this board because of the farm labor problem.

Secretary of State Edmund G. Brown Jr., son of the former governor, testified election ballot material should be printed in Spanish in heavily populated Mexican-American areas, and bilingual voter registrars also should be provided.

In earlier testimony, the chairman of the Senate Elections Committee said there is no way to guarantee there will be a Mexican-American senator representing Los Angeles County after the 1971 reapportionment.

Sen. Mervyn M. Dymally (D-Los Angeles) said he wished it could be done, but it can not.

Dymally said no additions will be made to the county's 14 senatorial districts, based on 1970 federal decennial census population figures.

"A seat for the Mexican-American community would have to displace a current incumbent," he said. "My point is that no current Senate incumbent can realistically be expected to willingly offer up his seat to the Mexican-American community.

"And most obviously, while the Legislature can determine district lines, the democratic process precludes dictating who must be elected within a particular district."

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Says Information Is Lacking

Dymally also said that when the first census information is released next month, it will not locate Mexican-American population pockets. Not until the so-called fourth count, to be released sometime toward the end of this year or early in 1972, will this kind of detailed information be available, he said.

Dymally said his committee staff is trying to obtain valid figures from other sources regarding Mexican-Americans in Los Angeles County and a hearing will be held there shortly to discuss the problem.

Reapportionment, accomplished every 10 years following the federal census, is the redrawing of congressional and legislative district lines to reflect population changes.

It is important politically because the party in power can draw the lines to possibly maintain voting control of the Senate, Assembly and Congress until the next census.

The really big population gains in the last 10 years, Dymally said, have come in places like Orange County, Ventura, San Diego and the suburbs of the Santa Clara Valley—not urban

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BRAVO

Continued from Third Page

areas where many Mexican-Americans live.

The state's Mexican-American population is estimated at 2.5 million, or 12% of the total.

At present there are two Mexican-American assemblymen out of 80—Alex P. Garcia (D-Los Angeles) and Peter Chacon (D-San Diego) — and no Mexican-American senators out of 40. Los Angeles County has one Mexican-American congressman, Edward R. Roybal, a Democrat, out of 15 congressional districts.

Two Cal State Los Angeles professors, David Lopez Lee and Henry Pacheco, told the committee Los Angeles County should have three Mexican-American congressmen, three senators and six assemblymen, based on population.

Another witness, Sen. H. L. Richardson (R-Arcadia), Republican caucus chairman, said Mexican-Americans are not fairly represented in the Legislature or Congress "because they have literally put all their eggs in one basket."

"They have joined the Democratic Party," he said, "and have for years been systematically taken advantage of, much in the same manner as other minorities.

"They have lost their leverage. The Mexican-American is a hip-pocket vote."

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Plea For Chicanos SACRAMENTO BEE 1-22-71

Bias At Polls Is Charged

Andreas Tovar, a young graduate student at Sacramento State College, said in an impassioned bilingual speech today that Americans of Mexican descent are discriminated against in the polling booth.

Tovar, former head of a Poverty War program at Mendota, Fresno County, told the State Advisory Committee to the US Commission on Civil Rights that attitudes of polling place workers often keep Mexican-Americans from voting.

He also described his attempts to register those who live in the barrios where he worked:

"Most told me they wanted to join the party of the Kennedys," he said. "But others asked me the differences between the two parties. But I found it hard to tell them the difference."

The reason, he said, is that neither political party in California cares about the Chicano.

Tovar's testimony came as the committee hearings rolled into their second day. Yesterday, freshman Assemblyman Peter Chacon told the group that the doctrine of one man, one vote does not go far enough.

What is needed, he said, is "ethnic parity" — a reapportionment that would guarantee Mexican-Americans a fair chance of electing officials of their own ethnic background.

Reapportionment became the overriding issue in yesterday's session. Testimony also was given that there is a lack of appointive or elective officials of Mexican descent in the state.

Although Mexican-Americans make up nearly 12 per cent of California's population, they hold less than 2 per cent of the state's key elective and appointive jobs, witnesses testified, and the situation may not get much better in the near future — at least on the elective front.

Both chairmen of the Senate and Assembly Reapportionment Committees testified population has not shifted enough to create any new districts where Californians of Mexican descent will be heavily represented.

And, they testified, it is extremely doubtful that any incumbent legislator will step down to allow a Latino to run for office.

Both chairmen — Sen. Mervyn M. Dymally and Assemblyman Henry Waxman, Democrats of Los Angeles County — also revealed a lack of statistics on which to base the reapportionment of legislative districts.

"It is difficult to talk in any great detail about the coming reapportionment as it relates to the political participation of California's Mexican-American citizens because no census information about ethnic populations — their number, location, voter registration, or voter turnout is available at this time," Waxman said.

Earlier, Sen. Dymally had said all other minorities had replied to such information on the 1970 US census. However, there was no provision in the census for Mexican-Americans to identify themselves as such.

Other officials to appear before the committee included Republican Sen. H. L. Richardson of Los Angeles County, who scored Democrats, accusing them of ignoring the Chicano population:

"Mexican-Americans have literally put all their eggs in one basket," Richardson said. "They have for years joined the Democratic party and for years have been systematically taken advantage of, much in the same manner as other minorities. . . . The Mexican-American is a 'hip-pocket' vote. The question is: How many can you turn out for any given election?"

The legislature itself came under attack for what were termed discriminatory hiring practices by Lorenzo Patino of Sacramento, president of Concilio, a federally funded Office of Economic Opportunity program, who noted that of a total of 678 employes working on legislative staffs, only seven are Mexican-Americans.

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Chicanos Walk Out On Unruh

Sacramento Bee 1-23-71

By John Berthiesen

About 50 Americans of Mexican descent walked out on former Assembly Speaker Jess Unruh late yesterday to protest Unruh's role in reapportioning legislative districts in East Los Angeles during the last 10 years.

Shouting "Viva la Raza," they walked out of a meeting of the California State Advisory Committee to the US Commission on Civil Rights just before the end of two days of testimony on the exclusion of Americans of Mexican ancestry from politics.

Unruh, sitting in the audience, watched them go and commented:

"Well, it's better than being ignored."

Then the former speaker, once called the most powerful man in California legislative politics, walked up to the podium and gave a remarkably candid presentation.

Incumbents will always be protected in legislative and congressional reapportionment, despite the rise of militant minorities seeking greater elected representation, he said.

"No man that I have known in my political career has been ready, willing and able to lay down his own political life for another politician or for a group of people," he continued.

Legislative and congressional districts should be redrawn to give all minorities proper representation rather than on the basis of protecting incumbents, he said.

"I think it should be done differently. But it's the way it's been done and it's the way it's going to be done.

"I don't care if the party in power is black, or brown, or green, or yellow or red," he continued. "They will redraw the districts to their own advantage.

Unruh's role in three reapportionments — in 1961, 1965 and 1967 — was what got him in trouble with the Americans of Mexican heritage. But asked by a panel member what he would do in the light of rising minority expectations, Unruh answered:

"I'll have to answer you obliquely. If I were governor, I would do it differently. But if I were a legislator, I would do it the same."

Earlier, State Senate Democratic leader George Moscone conceded under questioning that the upper house had been gerrymandered to exclude Americans of Mexican background.

Latins Reported in Only 2% of Key State Jobs

L.A. Times 12-20-71

Mexican - Americans comprise nearly 12% of California's population, but hold less than 2% of the state's key elective and appointive jobs, it was noted Tuesday in a special staff report to the U.S. Commission on Civil Rights.

The full report will be delivered Thursday and Friday during a meeting in Sacramento of the commission's state advisory committee.

The report, "Participation of Mexican - Americans in California Government," disclosed that none of the 40 top state posts are held by Mexican-Americans.

Los Angeles County has a 13% Mexican-American population, but only 3% of the top city and county officials here are from that group, the report said.

Attorney Herman Sillas, chairman of the advisory committee, said the Sacramento meeting will hear from eight state legislators, and more than 30 other witnesses detailing political nonparticipation of the Mexicah-American in California.

Sillas said, "We will be hearing allegations on denial of voting rights, on the Mexican - American's exclusion from effective participation in our major political parties, on election code inequities and on gerrymandering tactics and other political devices which have deprived Mexican-Americans of political representation at the city, county, state and federal levels."

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