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CALIFORNIA STATE ADVISORY COMMITTEE

U. S. COMMISSION ON CIVIL RIGHTS

Committee Room 5007

State Capital

Sacramento, California

Friday, January 22, 1971

The Committee met in open hearing, pursuant to adjournment, at 9:20 o'clock a.m., Herman Sillas, Chairman, presiding.

COMMITTEE MEMBERS PRESENT:

Honorable Mervyn M. Dymally, Senator, 29th District

Mr. William T. King

Mrs. Carl Kuchman

Mr. Stephen Reinhardt

Mr. Fred Glick

Rev. Henry J. Casso

Mr. Fred W. Gabourie

Mr. Alpha L. Montgomery

Reported by:

Ron Etter and Richard V. Hines,

Official Reporters

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P R O C E E D I N G S

1 CHAIRMAN SILLAS: All right.

2 We are now reconvening the State Advisory Commit-
3 tee, U. S. Commission on Civil Rights on this day, January
4 22, on the problem of political representation of the Mexi-
5 can-Americans in the State of California.

6 Our first scheduled witness is Miss Sally James,
7 Consultant to the U. S. Civil Rights Commission.

8 Miss James, will you state your name and occupa-
9 tion, please?

10 MISS JAMES: My name is Sally James, and I am a
11 consultant to the U. S. Commission on Civil Rights.

12 Essentially, what I want to present is a very brief
13 summary of a staff report which I compiled. The major data
14 for this report is from the 1970 California Roster of Federal,
15 State, County and City Officials.

16 Using the 1970 roster, which is, by the way, com-
17 piled with the cooperation of all of these levels of govern-
18 ment, we tabulated that out of 15,650 offices, both elected
19 and appointed, 310, or 1.89 per cent were Mexcian-American.

20 We made a special effort after tabulating the
21 Spanish surname based on the 1970 census list of Spanish sur-
22 names to eliminate those names which might be other than
23 Mexican-American, and to identify, if possible, Mexican-
24 Americans who did not have Spanish surnames, so that we are

25

2 talking specifically about that population, and not the lar-
1 ger Spanish-surname population.

2 This finding is depicted on this chart over here
3 in two ways: by the numbers of the --

4 Maybe I should go up here.

5 CHAIRMAN SILLAS: Mr. Brooks, would you assist
6 Miss James in doing these charts, since you brought them up
7 with you in the elevator?

8 MISS JAMES: These are really two of the same
9 things.

10 The only point I wanted to make is that we broke
11 it down here for different levels of government, starting
12 with the federal elected and appointed. But this is mainly
13 the legislation and judiciary.

14 We did not go into high Civil Service at the fed-
15 eral level.

16 The State legislators and their advisors, the exe-
17 cutive officers here, and this includes some high-level Civil
18 Service in addition to appointed and accepted positions; all
19 of the state boards and commissions and advisories through-
20 out the State, which are generally appointed by the Gover-
21 nor's office, or by the State Legislature, or by high Civil
22 Service.

23 And then the combined city and county government.

24 And then the total picture of this is reflected
25

3 in this chart, that the Mexican-American population, accord-
1 ing to our estimates for 1970, is nearly 12 per cent of the
2 population.

3 However, at all levels of government, they only
4 represent that per cent (indicating).

5 MR. GLICK: Would you state that percentage?

6 MISS JAMES: One point nine eight.

7 MR. GLICK: Thank you.

8 MISS JAMES: In addition, in the back of the ros-
9 ter there is a list of 40 top state officials for every
10 state in the Union.

11 Essentially, how California represents itself as
12 to other states and the nation, there are no Mexican-Ameri-
13 cans among those top 40 state officials.

14 At the federal level, legislature, judges, mar-
15 shalls, commissioners, U. S. attorneys and their assistants,
16 there are 525 offices specifically serving Californians,
17 seven, or 1.33 per cent of these are Mexican-Americans.

18 At the state level in the Legislature, there are
19 120 seats. Two of these, as of the November election, 1970,
20 were Mexican-American.

21 And I should point out that this data does not
22 reflect the results of the November election.

23 In the State Judiciary there are 132 positions.
24 None are Mexican-American.

4
1 In the executive branch of the state government,
2 including the boards, commissions, and advisories, there are
3 4,023 positions. Sixty, or 1.4 per cent of these, are filled
4 by Mexican-Americans.

5 At the county and city level there are 10,907
6 offices. 241 of these are filled by Mexican-Americans, 2.2
7 per cent.

8 Despite the fact that most Mexican-Americans live
9 in urban areas, their representation on the average decreases
10 as the size of the city increases.

11 Los Angeles, for example, has no Mexican-American
12 in a top elected and appointed position.

13 San Francisco, on the other hand, which is not
14 included in our 18 counties of the highest density of Mexi-
15 can-Americans, does have one city councilman who is Mexican-
16 American.

17 In 18 selected counties, which we estimate to have
18 over 90 per cent of the Mexican-American population, there
19 are 3,806 elected and appointed offices. 125 of these offi-
20 ces are held by Mexican-Americans, or 3.2 per cent.

21 Now, the last chart, we didn't list all 18 counties.
22 We listed the 12 counties that have three per cent or less
23 representation.

24 In the paper itself all 18 counties are listed, so
25 you can see the total breakdown there, but these are the 12

5 that are three per cent or less, and have a relatively high
1 percentage of schoolchildren that are Mexican-American and
2 enrolled in their schools.

3 Since there were no figures on breakdown by coun-
4 ties, the numbers of Mexican-Americans or Spanish surnames
5 available from the U. S. Census, or from the state govern-
6 ment, we used the State Department of Education school fig-
7 ures for 1970 to get an estimate of where the Mexican-Ameri-
8 cans are.

9 CHAIRMAN SILLAS: You are going to introduce a
10 copy of the report as a part of your record?

11 MISS JAMES: Right.

12 CHAIRMAN SILLAS: All right.

13 Would you just quickly check on the 1970 register
14 whether the Board of Agriculture, Dr. Bravo, is listed?

15 MISS JAMES: Yes, he is.

16 CHAIRMAN SILLAS: So that figure would even be
17 less now, since he testified yesterday he is no longer on
18 that board.

19 MISS JAMES: Right. And since I wrote the report,
20 some people in addition to the staff I was working with have
21 identified several other people who were Spanish surnames
22 that are not Mexican-American, so I would say that there's
23 probably even with the 2.98 per cent, it might even be less
24 than that.

CHAIRMAN SILLAS: Any other questions?

Thank you very much, Miss James.

The next scheduled witness is Mr. Joe Ortega, Chief Legal Counsel, Mexican-American Legal Defense and Education Fund.

Mr. Ortega, will you state your name and occupation? I understand you have a paper to present, also.

MR. ORTEGA: That is right.

My name is Joe Ortega. I am an attorney with the Mexican-American Legal Defense and Education Fund.

As you might know, this is a nationwide organization which seeks to alleviate some of the problems -- economic, social and legal problems of the Mexican-American by the use of the legal process.

I specifically represent the Los Angeles Office of our organization.

Gentlemen, I had hoped to spend this last week preparing for this presentation, because of the importance of this hearing, and also because I wanted to be able to represent our office well.

Unfortunately, I didn't prepare very well. I didn't prepare very well, gentlemen, because I have been very busy this last week. I have been busy meeting with a variety of people about certain situations that have arisen in Los Angeles, of which I am sure you are well aware.

7

1 On August the 29th of last year there was a par-
2 ade and an assembly which ended in the deaths of three men
3 and the injuries of scores of people, and the arrests of
4 hundreds.

5 Subsequently, about two weeks later, on the 16th
6 of September, there was another gathering of a lot of Chi-
7 canos, and that, too, unfortunately, ended in scores of
8 injuries and scores of arrests.

9 Last week, on January the 9th, one week, there was
10 another demonstration, another gathering of Chicanos that
11 again ended in scores of injuries, scores of arrests, and
12 this time a lot of property damage, not only to the Chicano
13 community, but a lot of property damage to downtown Los
14 Angeles.

15 Another gathering is scheduled for the 31st of
16 this month, a gathering that has been characterized by people
17 from the Police Department and people from the organizers as
18 a possibility of a real bloodbath.

19 Gentlemen, I have been busy this past week, instead
20 of preparing for this hearing, trying to get people together
21 to seek to avoid a bloodbath this next weekend.

22 And I am telling you, all of this, not as apologiz-
23 ing for not being well prepared, but I think because these
24 incidents and whatever happens on the 31st is very relevant
25 to what you gentlemen are discussing here today, because I

8 think that when we have people gathering together in the
1 streets for the purpose of bringing attention to their prob-
2 lems and perhaps -- and that gathering ends up in violence,
3 I think that shows that those people have reached the last
4 level of frustration. They have reached the level of frus-
5 tration in regard to their power, or their lack of power in
6 the political sphere.

7 That is why I think your hearings here today are
8 very, very important, because if we are going to avoid
9 trouble, and not only police confrontations and violence,
10 but to avoid any kind of trouble, we must give the Mexican-
11 American, as well as all minority groups, a real say in the
12 political system, a real voice in the government that gov-
13 erns them.

14 The courts and the lawyers who deal in the courts --
15 the courts have long recognized that the political inequi-
16 ties result in inequities in all fields.

17 For example, in the case of Casenvera vs. Morgan,
18 the Supreme Court said: "Debasement or dilution of a minor-
19 ity group, or a class voting strength, may, and in fact does,
20 lead to unequal treatment in governmental services, such as
21 public schools, public housing, and law enforcement."

22 And that is precisely what I am saying. The prob-
23 lems of law enforcement, the problems of our public schools,
24 the problems of public housing, and all of the economic and
25

social problems that the Mexican-American and other minority groups face are indeed problems of political representation.

But despite the commands and enunciations of the Supreme Court and other courts, and despite the lawsuits that our office and other similar offices might bring, there is in fact great debasement and dilution in the vote of the Mexican-American in California.

One case in particular that our office is participating in is entitled Calderon vs. the City of Los Angeles. The case is now pending before the State Supreme Court.

In that case we have pointed out the great inequities which we feel exist in the reapportionment scheme of the Los Angeles City Council.

Basically there are two factors in the scheme of apportioning the councilmatic districts, which work to weaken and even negate the Mexican-American vote in Los Angeles City.

The apportionment of the councilmatic districts is done on the basis of registered votes. That means that the distribution is carried out so that, essentially -- or it is intended that each district have approximately the same number of registered voters, which on its face seems like a just and equitable way to do things, and it would be a perfectly good system, if that were so.

But the fact is that registered voters and

10
1 populations are not the same thing. The fact is that in
2 some districts people register in far greater percentages
3 than in other districts, and I think you can guess which
4 districts those are.

5 In the Mexican-American areas, because of, among
6 other things, lack of education, lack of sufficient command
7 of the English language, and lack of a familiarity and a
8 competence in the political system, the people do not regis-
9 ter to vote in the same percentages as they do in other areas.

10 The results of the apportionment on a voter regis-
11 tration system are glaring.

12 For example, the Ninth Councilmatic District, which
13 is primarily in the East Los Angeles area, which has vast
14 numbers of Mexican-Americans, or the census people call them
15 Spanish-surnamed persons, in that district, the Ninth Coun-
16 cilmatic District, there were 260,000 persons in it.

17 On the other hand, the Fifth Councilmatic District,
18 which includes West Los Angeles, Westwood, and Bel Air, which
19 is almost entirely all white, had 162,000 people. There's a
20 difference of 100,000 people between the Mexican-American
21 district, or the district that has most of the Mexican-Ameri-
22 cans, and the Bel Air-Westwood district, 100,000 population
23 difference.

24 It seems to me this not only violates the principles
25 of the one man, one vote rule, which the Supreme Court has

11 enunciated, but it really makes the Mexican-American nothing
1 less than a second-class citizen.
2

3 The second-class citizen, because if he is under-
4 represented in City Hall, he does in fact receive poor govern-
5 mental services, which in turn, as I indicated, keep him
6 from getting the proper skills and the proper economic well-
7 being to be able to register to vote, so that the thing
8 becomes a perpetuating system.

9 If you deny the group the services which will
10 enable him to become more educated, to have greater economic
11 well-being, and to have reason to have greater faith in the
12 political system, he will not register to vote in the same
13 frequency that other people do.

14 Consequently, his vote continues to get debased
15 more and more.

16 The other problem with the districting in Los
17 Angeles is the gerrymandering. The Calderon suit does not
18 specifically mention this fact, but we mention it, because
19 it compounds the problem of reapportionment on the registered
20 voter basis.

21 The U. S. Census graphs show that in fact there is
22 a large concentration of Mexican-Americans in a relatively
23 small area in Los Angeles, the East and Northeast area of
24 Los Angeles. There is a very, very great concentration of
25 Mexican-Americans.

12

1 This area, however, under the councilmatic scheme,
2 is split up into three councilmatic districts. The Mexican-
3 Americans are not all in that one district. They are spread
4 in the Ninth, Thirteenth and Fourteenth District.

5 And I think that it is clear that that is why,
6 even though the Mexican-American comprises about 15 per cent
7 of the population in the City of Los Angeles, there are no
8 Mexican-Americans on the City Council.

9 There is no Mexican-American elected official on
10 the City Council, even though we comprise 15 per cent of
11 the population.

12 Gentlemen, I think I came up here to give these
13 figures to you and these thoughts because I hope that the
14 State Legislature and other groups will see that it is abso-
15 lutely necessary that if we are to really give the Mexican-
16 American and all of our citizens the right to participate
17 fully in the Democratic system, which in turn is more than
18 just a philosophical framework, but a real example of being
19 able to get an economic base, get an education so that you
20 have not second-class, but first-class citizens, people who
21 will be able to participate fully and enjoy the full system,
22 I think if we realize this is what we have to do -- and I
23 hope, and I know you gentlemen will realize this is what has
24 to be done, that the Legislature and City Councils through-
25 out the State will earnestly and positively do something

13

to give all of us an equal vote.

1 Thank you.

2 CHAIRMAN SILLAS: Thank you, Mr. Ortega.

3 Mr. Gabourie?

4 MR. GABOURIE: Yes. Mr. Ortega, do you know whe-
5 ther there is a move afoot to dissolve all of the council-
6 matic districts in the City of Los Angeles, and the result
7 of this would make the councilman be a councilman at large,
8 which would further dilute the representations of the Mexi-
9 can-American community?

10 MR. ORTEGA: Yes, I have heard about that.

11 MR. GABOURIE: Is your organization doing something
12 to keep them from dissolving the districts, specifically?

13 MR. ORTEGA: No.

14 MR. GABOURIE: Further, let me ask you this: Would
15 that case, the Calderon case, do you think that case would
16 be a stopper to that?

17 MR. ORTEGA: Yes, I think the election of repre-
18 sentatives at large has been held to be in some cases proper,
19 legally proper, but when it acts as we believe it does --
20 and there are many, many cases on it -- but when it acts to
21 delete a definite class vote, then it is illegal, and I
22 think it would be in a case like Los Angeles.

23 What the Court has said from some of the cases
24 that we have looked at is that the Legislature can use any
25

14

1 scheme it wants to to elect and to district officials. It
2 cannot do it when the results are great inequities to any
3 one given group.

4 And the groups we are talking about are groups that
5 have definite interests and which need representation.

6 MR. GABOURIE: Thank you.

7 CHAIRMAN SILLAS: Father Casso?

8 REV. CASSO: The decision for the council lines
9 in East Los Angeles are made up here by the Legislature,
10 Mr. Ortega, are they not?

11 MR. ORTEGA: That is the function of the City. It
12 is in the City Charter, the City of Los Angeles.

13 REV. CASSO: So it is a city decision, rather than
14 a state decision?

15 MR. ORTEGA: Yes, it is not a state decision.

16 CHAIRMAN SILLAS: Mr. Glick.

17 MR. GLICK: Mr. Ortega, you mention one of the fac-
18 tors that tend to inhibit registration of Mexican-Americans
19 has been the language issue.

20 Do you think that Castro v. California, dealing
21 with language and voting, will have any effect in removing
22 this disability so that it will, therefore, contribute to
23 increasing the number of registered voters?

24 MR. ORTEGA: I think that it will have a great
25 effect, for two reasons:

15

One is the fact that people who cannot register in English, because they don't have the facility, will be able to register. I don't know how many that will be, but I think it will be some.

But I think the second effect is the psychological effect of saying that the Spanish-speaking have a right and duty to register to vote, and I think they will get greater confidence, and as I indicated, I think that is one of the problems that we have, lack of confidence.

I think the Castro decision gives a little more confidence.

MR. GLICK: Is the Mexican-American Legal Defense Fund going to be active in any way in registration drives, or have you decided that the new tax laws will prohibit you from doing so?

MR. ORTEGA: Well, yes, we have decided that the tax laws prohibit it. At this time we have a very small staff, and one would like to do a lot of things, and solve all of the problems, but we can only tackle one or two at a time.

MR. GLICK: Can you tell me under the Los Angeles City Charter under what circumstances would a redrawing of district lines take place in the councilmatic districts?

MR. ORTEGA: I am not sure I understand the question.

25

Could you --

1 MR. GLICK: Under what circumstances -- I mean,
2 the councilmatic lines are not fixed forever.

3 MR. ORTEGA: That is correct.

4 MR. GLICK: What causes them to change? Do they
5 change in accordance with the census every 10 years?

6 MR. ORTEGA: Right.

7 MR. GLICK: Like the assembly district?

8 MR. ORTEGA: Yes, that is correct.

9 MR. GLICK: I see. Thank you.

10 CHAIRMAN SILLAS: As I understand the Calderon
11 case that you speak of, you are challenging the concept of
12 the registered voters as being the criterion for determining
13 the districts?

14 MR. ORTEGA: That is correct.

15 CHAIRMAN SILLAS: And that it should be on an
16 actual resident number?

17 MR. ORTEGA: Yes. We believe that the courts have
18 indicated that the districting must be done on a population
19 basis, and strictly on a population basis, and not on any
20 other scheme.

21 Sometimes they use a scheme such as the number of
22 people in the telephone book in any one district. Well, that
23 doesn't necessarily represent the population.

24 I think the courts have said that you have to have
25

17 the number of people.

1 CHAIRMAN SILLAS: You also indicated that the
2 registration of Mexican-American voters is lower than in
3 other ethnic groups --

4 MR. ORTEGA: Yes, that is correct.

5 CHAIRMAN SILLAS: If you were to divide the dis-
6 trict based on population, and not on voter registration,
7 the fact that the Chicano and Mexican-American does not
8 register with as high of a percentage as other groups,
9 wouldn't that tend to also disenfranchise it?

10 MR. ORTEGA: I am sorry, I don't follow the reason-
11 ing.

12 CHAIRMAN SILLAS: Well, if the Mexican-American
13 percentage of registration is low --

14 MR. ORTEGA: Yes?

15 CHAIRMAN SILLAS: -- at the present time the dis-
16 tricts are based on registration of voters, so that those
17 that do register are counted.

18 MR. ORTEGA: That is correct.

19 CHAIRMAN SILLAS: As you pointed out, you have
20 100,000 people in one district more than you do in another
21 district, and that 100,000 does not vote or does not regis-
22 ter --

23 MR. ORTEGA: Yes?

24 CHAIRMAN SILLAS: If you were to base the district
25

18

on population alone, wouldn't the effect be that you are
1 not really changing anything by that process? That what is
2 really needed is the registration of voters, because, as I
3 would envision it, the 100,000 people are not sitting in one
4 location; I mean they are mixed in with registered voters.

5 MR. ORTEGA: That is correct.

6 CHAIRMAN SILLAS: So as you cut it up on the basis
7 of population, I have difficulty seeing how we increase the
8 number of --

9 MR. ORTEGA: Well, perhaps I could illustrate it
10 this way:

11 On the basis of population, if it was decided
12 that each district should have 100,000 people, the district
13 that had, say, 200,000, but only 100,000 registered, would
14 then get two representatives.

15 CHAIRMAN SILLAS: O.K. It is a little early this
16 morning.

17 Thank you very much, Mr. Ortega.

18 MR. ORTEGA: Thank you.

19 CHAIRMAN SILLAS: The next scheduled witness is
20 Manuel Aragon.

21 MR. ERICKSON: I don't think he has come in yet.
22 Andy To Var is here now. I think you can probably get him
23 on.

24 CHAIRMAN SILLAS: All right.
25

19

Mr. To Var, will you state your name and occupation, please?

MR. TO VAR: My full name is Andy To Var Gonzales. My occupation is a student at Sacramento State College, and I am working on a master's degree over there.

The testimony I would like to present this morning is concerning the experience that I had in Fresno County as the director of a small poverty program in Mendota and Firebaugh.

The points of view that I have are reflective of the Chicanos in that particular area, so you know, whatever I say when I mention Chicanos, I hope you don't think I am talking about East L. A.

In the first place, I have heard various people say that the Chicano is totally Democratic. I feel that this is totally incorrect.

In the first place, the Chicano, from my personal experience, is a man who believed in what Roosevelt did, and who believed in the hopes and promises that John Kennedy presented.

If these two people had been in the Republican Party, then we would all be in the Republican Party.

A friend of mine told me not to cut down the intelligence of the Chicanos, you know, because I registered over 200 Raza during my two years out there, and when I asked

25

them what particular party they wanted to affiliate with,
1 some of them thought a moment and, you know, then I rattled
2 off the various parties, and then they said, "Well, I want
3 to be in the party that Kennedy is in."

4 And then some guys say, "Well, what is the differ-
5 ence?"

6 And really, I had some problems at times, trying
7 to differentiate.

8 I would even challenge you gentlemen to try to
9 explain to some Chicano out there in the field, what differ-
10 ence does it make, you know, whether he registers in the
11 Democratic or the Republican Party. Does it mean that he
12 is going to get a better education for his family? Does it
13 mean that he is going to have more opportunity? I challenge
14 that, you know.

15 You could come up with very few projects that have
16 really been started there making an impact with La Raza.

17 I even had questions pertaining to "How much do
18 we have to pay to register?" And you know, this is going
19 back decades, you know, as far as the poll tax and every-
20 thing.

21 But La Raza really hasn't been that turned on with
22 politics, you know, as far as -- they are not up with it.
23 What I mean, they are not in tune with politics, because it
24 has always been a rich man's game, and we were talking about
25

21 percentages and what have you, and, you know, Mendota has got
1 80 per cent Chicanos, but it has got a little less than 50
2 per cent Chicano registration.

3 I talked to over 10 Chicanos in Mendota, asking
4 them, encouraging them to run for office. And, you know,
5 there was a series of reasons why they couldn't run. Some
6 of them were just beginning their businesses, and they were
7 fearful that their vote might jeopardize their business and
8 their family's livelihoods.

9 Some of them had -- did not feel that they were
10 qualified, you know. (Continues in Spanish.)

11 And rather than exposing or -- because they were
12 so fearful that they would do an inadequate job, they pre-
13 ferred not to get involved, but yet with my experience in
14 City Council meetings and in board of trustee meetings, I
15 think that Chicanos are more than qualified to run for the
16 various offices.

17 (Whereupon, Mr. To Var delivered a portion of his
18 speech in Spanish.)

19 But the thing is, we have never really been shown,
20 you know, why should we get involved. I look at the apathy,
21 or rather, at the indifference of Chicanos as far as why
22 they are not getting involved in politics, and the fact is
23 that it is just as much of a responsibility of the Republican
24 and the Democratic Party to make it worthwhile for the
25

22

Chicano to get involved.

1 The Chicano may not know what rules and what regu-
2 lations and all of this other garbage, as far as -- pertain-
3 ing to politics, but doggone it, it isn't -- it isn't his
4 fault.

5 The fact is, like I said earlier, it is a rich
6 man's game up to now, and therefore the Chicano has felt
7 that he had no part in it.

8 Gentlemen, this is basically what I have to say.

9 CHAIRMAN SILLAS: Thank you.

10 Mr. Gabourie?

11 MR. GABOURIE: No questions.

12 CHAIRMAN SILLAS: Father Casso?

13 REV. CASSO: I will pass.

14 CHAIRMAN SILLAS: Mr. Glick?

15 MR. GLICK: Not at the moment.

16 MR. TO VAR: Excuse me, Mr. Chairman. I have a
17 couple of other comments, while you were asking your ques-
18 tions.

19 CHAIRMAN SILLAS: Oh, I am sorry. I thought you
20 were through.

21 MR. TO VAR: I did say that, but I thought of
22 something else.

23 CHAIRMAN SILLAS: O.K. Fine.

24 MR. TO VAR: And this is with regard to the polling
25

23 places.

1 Yesterday I was here when a couple of comments
2 were made concerning speaking Spanish in the polling places.

3 In fact, I don't know if you -- I assume you are
4 going to get a copy of my prepared statement which I will
5 be presenting -- will be giving to you, but in here I cite
6 the particular incident where I went to a polling place last
7 June during the primary and I saw a Chicano friend of mine,
8 and immediately one of the girls who is working there in the
9 polls said, "I am sorry, gentlemen, if you want to speak
10 Spanish, you will have to go outside."

11 And this really keyed us up, because, you know,
12 first of all, she was feeling that we might be talking about
13 politics, or I might be influencing him about his vote, but
14 it is her ignorance, as far as her incapacity to know what
15 we are talking about.

16 So I personally feel that if we are talking about
17 recommendations, that we should have some Chicanos on these
18 polling places that can assist La Raza when they come in,
19 especially now with the new interpretation of, you know,
20 having to be literate in the English language.

21 I think if there is enough Chicanos in a particu-
22 lar precinct, that we should have La Raza working on this
23 particular precinct as well, because some of you may think
24 it is funny, but it is amazing, the attitudes of some of
25

24 these people when they see a lot of browns coming in the
1 room, you know, to vote. They have a sneer, or, you know,
2 just their attitude is enough to turn us off, you know.

3 And I feel we have to have some Chicanos who care,
4 you know, who are working there who can make La Raza feel
5 well when they come in to vote.

6 Another thing is that the precinct places, most
7 of them are schools, because the buildings are available,
8 and this type of thing, but the Chicanos in general, what
9 I have found out, is that we are turned off with the State
10 school system as well.

11 The Chicanos don't come to school for PTA meetings.

12 The only reason that the Chicanos come to school
13 is when they have to come over there to talk to the princi-
14 pal about their kid that got in trouble.

15 And here again, you know, the teachers say, "Why
16 can't we get the Chicanos to come to school?"

17 What has happened is that the Chicanos do want an
18 education for their kid, but the thing is that the educa-
19 tional system is not doing one hell of a lot for the Chica-
20 nos.

21 So you know, you -- there really is very little
22 communication between the parent and the child.

23 For example, both of my parents are illiterate.
24 They wanted me to continue going to school, and you know,

25 when I came back with my grades, the As and the Bs, and this
1 type of thing, they were proud in a way, but, you know, they
2 didn't really know what it meant.

3 (Whereupon, Mr. To Var gave a portion of his speech
4 in Spanish.)

5 And you know, so it was this type of encouragement
6 that it received, but it wasn't anything from the school
7 system itself. I had one hell of an inferiority complex
8 going through high school, because I thought all Chicanos
9 were bad.

10 And you know, with all of these TV commercials and
11 everything else playing down the Chicano, and with the his-
12 tory and all of the other classes, you know, totally ignor-
13 ing La Raza and the part that we had to play in this parti-
14 cular heritage of the Southwest.

15 You know, we have been deprived of this, and all
16 of these things I feel are part of what has contributed to
17 turning off the Chicanos all of the way around.

18 We look at their educational attainment. It isn't
19 the Chicano, that he has been indifferent toward education.
20 It is that education has been indifferent towards the Chi-
21 cano.

22 CHAIRMAN SILLAS: Let me ask: If we were to say
23 to you, go to the areas you are speaking of and get people
24 involved, the Chicano, involved in the process of registra-
25

tion, the process of participating in the political arena,

1 what could be done?

2 Assuming money is not an object, and assuming you
3 had money, how would you go about it? What steps would you
4 take?

5 MR. TO VAR: Well, first of all, let me say that
6 we ran Chicanos for City Council, for board of trustees in
7 the June primary of last year.

8 We ran a Chicano for the Supervisor of Fresno
9 County, and money was really an object here.

10 CHAIRMAN SILLAS: Well, assuming you have money,
11 how do we get to the people that you are describing, a per-
12 son that is not in any way involved in our political life?

13 What are the first steps that you take to get them
14 involved?

15 MR. TO VAR: Well, let me say this: We did conduct
16 registration drives, and we did, you know, many of these
17 other things.

18 The Chicano that we ran for Supervisor had the
19 total support of La Raza up there, but the thing is, you
20 know, for the first time -- we even had people who had come
21 out of prison, but couldn't vote because they had been
22 deprived of this privilege, but doggone it, every single
23 weekend they were out there putting up posters for this man.
24 They were turned on. They said, for the first time in my
25

27. life I found somebody that I can really relate to, you know.

1 We found -- (continued in Spanish).

2 We had -- we did have the cooperation of the Chi-
3 cano media, but, you know, still because of the Federal Com-
4 munications, you know, they had to charge to get our adver-
5 tisement on there, but we had very little publicity of get-
6 ting to the -- say -- middle class, the liberal -- and hope-
7 fully, there are some out there -- to really demonstrate
8 the capacity and the potential and the concern, you know,
9 of La Raza.

10 Up until now we hadn't -- the only place we have
11 seen Chicanos are out in the field. So you know, we do not
12 have the vote at this time. Not when we are talking about
13 Fresno County, anyway. Maybe in East L. A., this type of
14 thing, yes, but out there we do not have the percentages to
15 win an election, so the only thing is that we are going to
16 have to sell the candidate, say, to the liberal, you know,
17 to the white who has been having this stereotype. We are
18 going to have to change that.

19 We are going to have to change, you know -- we are
20 going to have to start presenting educational programs to
21 the schools, so that the children going through can have a
22 better image, self-image of themselves.

23 I think the responsibility also has to be on the
24 media. They have got to take positive steps so that La Raza

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28 can look at themselves in a very positive sense, and once
1 we start building our own self-image, and people around us
2 start looking at ~~Chet~~Chicano as a person who is capable of
3 having intelligence, you know, then can we start getting
4 into, you know, winning the elections.

5 CHAIRMAN SILLAS: Thank you very much.

6 Mr. Glick?

7 MR. GLICK: Yes. Mr. To Var, do you think now that
8 18-year-olds will be permitted to register to vote, this
9 might increase the percentage of Chicanos in your area of
10 Mendota?

11 Do you think the younger people might have more
12 interest than the older people of political life?

13 MR. TO VAR: Well, I will be honest with you, at
14 this very moment I don't think so, because, you see, in
15 Mendota, especially the high school out there, about 50 per
16 cent of the Chicanos drop out before they graduate, you know.

17 The situation is so depressed out there, and --
18 you know, when you go out there and you tell them, you know,
19 "Let's get registered to vote", they say -- (Mr. To Var
20 continued in Spanish).

21 I think a young Chicano may be more easily influ-
22 enced than, maybe, an older one, you know, but the thing is
23 it is the total picture that we have to take into account,
24 I think.

25

29
1 Just because more younger people are, you know, going
2 to be eligible, I don't think -- well, because of the qualifi-
3 cation, I think, you know, that we will be getting more Chi-
4 canos registered, but as far as they being more turned on with
5 politics, I don't think so, not at this time.

6 MR. GLICK: Now, you indicated that one thing that
7 does turn people off, and perhaps even inhibit them from voting,
8 the rule against -- or the refusal of the voting officials to
9 allow people to speak Spanish at the polling places.

10 Now, that is, as we learned yesterday, a result of a
11 state law which prohibits the speaking of any language other
12 than English in a polling place.

13 Would you then suggest that if that law were repealed
14 so that people could speak languages other than English at the
15 polling place, this might contribute to an increase in Spanish-
16 speaking people's participation in voting?

17 MR. TO VAR: I think it is really a two-way thing,
18 sir. I think that the fact that this Anglo woman said, "Don't
19 speak Spanish in here", you know, goes back to the mentality of
20 the elementary school teacher who told us, you know, to go see
21 the principal whenever we did this.

22 MR. GLICK: She was required by law to do this.

23 MR. TO VAR: Well, O.K., to a certain degree.

24 The thing is the attitude. It isn't the words. We
25 can say, "O.K., we can speak Spanish now." But it is the

1 attitude with which they express it. You know, this is some-
2 thing that we can put our finger on, but when you talk about
3 feeling or sensing that this person is hostile to you, how do
4 you change that by law?

5 MR. GLICK: Yes, I understand that.

6 Now, there is one more question that I would like to
7 ask you, and it is something of a personal nature.

8 Yesterday a young man was testifying about employment
9 of young Spanish-surnamed people, Chicanos, in the state govern-
10 ment here in the state capital.

11 And he spoke of the difficulties that he encountered
12 when he attempted to get a job, that he wasn't very well quali-
13 fied.

14 I see that you are an intern with the State Legisla-
15 ture.

16 MR. TO VAR: This is through the Urban Affairs Insti-
17 tute which is funded by the Ford Foundation, of which Senator
18 Dymally happens to be the Chairman of.

19 He makes a thrust at getting minorities in here.

20 MR. GLICK: This doesn't mean that you were hired by
21 an assemblyman or state senator?

22 MR. TO VAR: That is correct.

23 MR. GLICK: But you were under some official program
24 which Senator Dymally is working with?

25 MR. TO VAR: That is right.

1 MR. GLICK: I see. Thank you.

2 CHAIRMAN SILLAS: Thank you very much.

3 The next scheduled witness is Assemblyman John Stall
4 from San Diego County.

5 MR. STALL: Mr. Chairman, and Members of the State
6 Advisory Committee, the United States Commission on Civil
7 Rights, a few days ago, on January the 12th, Mr. Erickson
8 stopped by my office here. It was a rather busy time of the
9 year, and I was glad to have an opportunity to talk with him,
10 but they dropped off a news release concerning your two-day
11 public open meeting and asked if I would like to appear for a
12 few minutes during this two-day period with some comments.

13 And I would like to say, initially, that I am
14 delighted to appear, and grateful for the opportunity.

15 Starting --

16 CHAIRMAN SILLAS: Excuse me just a moment.

17 MR. STALL: Yes?

18 CHAIRMAN SILLAS: Could you speak a little bit louder,
19 into the mike?

20 MR. STALL: Yes.

21 Starting out with one of the premises advanced, has
22 the Mexican-American community, with 12 per cent of the State's
23 population, been gerrymandered out of meaningful political par-
24 ticipation?

25 According to the Advisory Committee's press release

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1 announcing this meeting, and my discussion, as I said, with Mr.
2 Erickson, this allegation has been made by many Mexican-American
3 organization leaders.

4 Now, I would like to take a little closer look at
5 this allegation, for I think it is an important one, and the
6 first question I think that should be asked, based on that pre-
7 mise, is, "How is that 12 per cent figure distributed through-
8 out the State?"

9 You would have to determine whether the Mexican-American
10 population densities are such that gerrymandering on an
11 ethnic basis is a feasible undertaking.

12 The figures that we have in the 1970 census are due
13 out, I think, late next month, so any discussion on this, of
14 course, would have to center around the figures that we have,
15 and these would involve the 1960 census statistics.

16 Admittedly, they are going to be far less accurate
17 than the 1970 figures, but at this point I think we can use
18 them to serve my purpose here today with my remarks.

19 A quick look at them would reveal some, I think, very
20 interesting facts. The first of them is that California's Mexi-
21 can-American citizens are rather widely dispersed throughout
22 the State, and of course the one significant exception is Los
23 Angeles County, which contains roughly 40 per cent of the Mexi-
24 can-Americans living in California.

25 No other single county in the State contains more

1 than five and one half per cent of the total Mexican-American
2 population.

3 In summary, it would appear that Los Angeles is the
4 only part of the State in which there is a significant enough
5 concentration of Mexican-Americans to comprise anything even
6 slightly resembling a majority within a legislative district.

7 The first conclusion then is that it is misleading
8 to suggest that the entire Mexican-American population has been
9 or can be gerrymandered out of meaningful political participa-
10 tion.

11 We are really talking only about the roughly 40 per
12 cent of Mexican-Americans who live in Los Angeles, or perhaps
13 a figure closer to five per cent of the State's population,
14 than 12 per cent.

15 Another point to keep in mind is that the Mexican-
16 Americans who live in Los Angeles County are themselves not all
17 located in the same part of the County. According to the 1980
18 census figures, the only area within Los Angeles which could
19 contain a majority within an assembly district is in the East
20 Los Angeles area, and it looks as if it would be impossible to
21 achieve such a majority anywhere in the State in either sena-
22 torial or a congressional district.

23 We all recognize that it is possible to reapportion
24 in some areas so that the Mexican-American community would co-
25 prise a larger voting minority than perhaps it currently enjoys.

1 But a large minority and a working majority are, of
2 course, two different animals.

3 I might offer a parenthetical comment at this time,
4 and that is that a concentration of Mexican-American voters in
5 just a few districts would benefit the Republican Party.

6 As analyses indicate, the Mexican-American voter has
7 traditionally gone solidly Democratic, or pretty much so, and
8 I think this is very unfortunate. Somehow the party of Abraham
9 Lincoln hasn't been able to fully convince vast numbers of
10 Mexican-Americans that it is to their personal advantage to
11 support it.

12 But as the situation stands, with this situation
13 existing, and until the Republicans can change these voting
14 patterns through appealing to them in such a way, convincing
15 them that it would be to their advantage to support the Republi-
16 can Party, then I would say that the practicable politics of
17 the thing, and as far as the Republicans would be concerned --
18 remember my premise, if this is the situation -- then it would
19 probably delight the Republican Party to see Mexican-American
20 voters concentrated in as few districts as possible, and then
21 you could forget them, you know.

22 You wouldn't have to spend the money, dig up the can-
23 didates, and fight the losing battle. Now, I want you to
24 remember that I am surely not advocating this point, but merely
25 bringing it out for discussion, because we have here in East

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1 Los Angeles areas surrounded by strongly Democratic districts,
2 and it would appear that any ethnic gerrymandering which may
3 have taken place would have been a result of some Democratic
4 Party strategy.

5 If the Democrats have done most of the reapportion-
6 ment, we might ask ourselves then, if there is a problem exist-
7 ing, which party is to blame.

8 Now, we need to ask whether this is the kind of
9 activity, this ethnic gerrymandering, that we want to engage
10 in. If Mexican-Americans have been deliberately gerrymandered
11 out of political participation, I would much rather see the
12 ethnic factor in reapportionment ignored completely than to
13 see it deliberately manipulated in attempts to elect the lar-
14 gest possible number of Mexican-American legislators.

15 My reason for this is simple. I think that it would
16 be a thinly disguised appeal to racism, and racism does not
17 diminish. It tends to increase, and this would increase divi-
18 sion, and we surely don't need any more of that.

19 I am not going to deny that racism has caused, and
20 continues to cause grave injustices to many minority groups,
21 but I do not believe that the way to eliminate injustice is
22 to appeal to more racism.

23 I believe that the way to insure fair representation
24 to Mexican-Americans, or to any other minority groups, is to
25 insist that candidates for public office hold the beliefs that

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1 all men should be treated equally in every way, regardless of
2 race.

3 I submit that the argument that a Caucasian legisla-
4 tor cannot fairly and sympathetically represent other ethnic
5 groups has about as much to recommend it as the belief that a
6 Mexican-American legislator cannot fairly and sympathetically
7 represent his Caucasian and black constituents.

8 If we abandon the idea that the elected official
9 holds identical allegiance to each of his constituents with no
10 consideration to ethnic background, and instead vote strictly
11 on the ethnic factor, what would we have done? We would have
12 told men like Peter Chacon that he could not represent the 79th
13 Assembly District, because Mexican-Americans constitute a
14 minority in that district.

15 We would have also told the Caucasian legislator to
16 ignore the needs of minority groups in his district.

17 Gentlemen, I surely think this would be a curious
18 way for a nation to achieve racial equality.

19 In the long run, I believe strongly that equitable
20 political participation is a function of ethnically neutral
21 legislative districts.

22 And an unshakable demand by all citizens that each
23 candidate for public office, while understanding the injustices
24 to which minorities have been subjected, be ethnically and
25 racially color-blind.

1 This has been -- this has not been, nor will it be,
2 the easiest path to take, but it is the only one that will
3 allow us to achieve the goal of equal representation by all.

4 Thank you very much.

5 CHAIRMAN SILLAS: Thank you.

6 Are there any questions from the committeemen?

7 Mr. Gabourie?

8 MR. GABOURIE: Yes.

9 Senator, do you feel that appointments to public
10 office, like judgeships and things like that, should reach
11 some ethnic balance?

12 MR. STALL: I think appointments -- and we can go
13 even further into elections -- I think that they should be done
14 on the basis of ability.

15 Again, I -- I am torn on this problem of what obvi-
16 ously has taken place in the past in many areas of ignoring
17 them, of overlooking them, and this sort of thing, but I am
18 torn by this problem that to solve that, now I must say that
19 of 10 judges I have got to appoint one -- one ethnic group,
20 one minority group.

21 I would hope that these appointments, and I would
22 hope that those that were elected to office would be elected
23 on their own abilities.

24 I would really hesitate to subscribe to the theory
25 that we have got to do this, not to select them on their

1 ability.

2 I talked to Mr. Erickson in my reading on this, and
3 I asked him, for example, in these areas in Los Angeles, has
4 there been any absence of qualified people running, or some-
5 thing of that sort.

6 And the question of education, and so on and so forth,
7 and he said, "No", that from the records that that didn't appear
8 to be the situation at all. In fact, they had too many running,
9 and maybe that was one of the problems.

10 Rather than concentrating on one, there had been a
11 diffusion -- the thing had been diffused by a great number of
12 them running.

13 MR. GABOURIE: Well, sir, the reason I asked the
14 question, yesterday one of the witnesses testified that San
15 Diego County is about 30 per cent, more or less, Mexican-Ameri-
16 can population.

17 MR. STALL: That is right.

18 Well, it seems a little high.

19 MR. GABOURIE: Well, 20 to 30 per cent.

20 MR. STALL: All right.

21 MR. GABOURIE: That there are 28 Superior Court judges
22 and 13 Municipalities, which I don't know how many Municipal
23 Court judges out of the 13 municipalities; yet there are no
24 Mexican-American judges; and I am certain there are qualified
25 Mexican-American attorneys in San Diego County.

29

1 MR. STALL: Well, I am sure there are, and -- I
2 know there are. I know in my own district, for example -- I
3 represent the 80th Assembly District, which is about three
4 fourths of the land mass, and I sort of bypass the City and
5 South Bay.

6 I have a number. It is not -- it is not large.

7 In all of this time, the Bar Association, indivi-
8 dually, I have never been asked for a recommendation, nor
9 have I been interviewed by one who wanted my going to the
10 Governor and saying, "This man should be appointed."

11 Now, that is very strange, and I agree with you,
12 no matter how many there are in my district, there should be
13 one who has come in to me and said, written me a letter, or
14 someone called and said, "How about an appointment?"

15 You know, that has not happened. Now, where does
16 the blame go on this? Is this the function of the individual?
17 Is it a function of the legislator, to go out on the town to
18 search? Is it a function of government to move in and say,
19 "We will do this on a percentage basis"?

20 I sort of hope in this area, again, that it would be
21 done on the basis of ability, done on the basis of contact
22 between the assemblyman who has some -- sometimes you wonder
23 if he has got any influence with the Governor's office on
24 appointments, but it normally works that way, where you con-
25 tact the senator or the assemblyman, or both, and ask for

1 help in getting the appointment.

2 I would hope that it would work more on this volun-
3 teer premise, rather than any mandation.

4 MR. GABOURIE: Well, I felt that San Diego County
5 was a little lax in their assisting the Mexican-American.

6 In testimony yesterday I noted that the first time
7 in 70 years, I think, a Mexican-American was appointed to the
8 Grand Jury.

9 And that the first time in 100 years, one Mexican-
10 American is on the City Council of National City, which is
11 apparently 40 per cent Mexican-American.

12 MR. STALL: Yes, they have a lot down there.

13 MR. GABOURIE: And I felt that there should be some
14 affirmative steps to change that balance, because it is totally
15 out of balance.

16 MR. STALL: Yes, it would appear that way. I agree
17 with you.

18 MR. GABOURIE: Thank you. I have no further ques-
19 tions.

20 CHAIRMAN SILLAS: Father Casso?

21 REV. CASSO: First of all, I am intrigued by your
22 statements having to deal with the responsibility of who goes
23 out to get who in.

24 It seems to me that a leader of whoever or whatever
25 goes out and gets people to be what he is, or what he

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1 represents, and so forth, you hold a pretty high position in
2 the Republican Party for the State, and it seems to me from
3 testimony that we heard yesterday that there was an interest
4 on the part of the Republican Party to get more Mexican-Ameri-
5 cans in.

6 MR. STALL: I don't know who said that. I think that
7 we could say generally, Father, without any argument that it
8 would be an objective of the Republican Party to get as many
9 citizens in.

10 REV. CASSO: Well, because of that position, then,
11 some testimony came in this morning that according to the 1970
12 figures, of the federal elected and appointed individuals of
13 the State of California, of 525 of them, only seven are Mexi-
14 can-American.

15 The State legislators and advisors, of the 195, only
16 two are Mexican-American.

17 For the executive offices of the State here, of the
18 2,291, only 13 are Mexican-Americans. That's less than one
19 per cent.

20 The State boards and commissions and advisories,
21 1,732, and only 47 are Mexican-American.

22 And the city and county government officials, out of
23 10,907, you have only 241.

24 So the three things that are very disturbing are, in
25 the whole process of employment, much of which is by appointment,

1 a case in point which you did not elaborate, in East L. A.,
2 where you have the gerrymandering of the people to be able
3 to elect their own officials, and then, thirdly, the appoint-
4 ments of people to such prestigious positions and influential
5 positions as judgeships, you have almost -- you have 15 per
6 cent of the State that are locked out of government.

7 Do you see this as a challenge to the leaders of
8 this State?

9 MR. STALL: Yes, I do. I see it as a joint challenge.
10 The leadership of the State, and all of us are involved, state
11 government, county government, city government.

12 I see it also as a challenge on the part of a group
13 such as this to do what they can.

14 As I say, I think this is fine, and I surely want
15 to cooperate in every way I can.

16 REV. CASSO: Is there anything you can do to help
17 change this figure of appointments without the people having
18 to come to you? Just -- that drastic figure.

19 It is going to be difficult to explain that to the
20 young. That's the point.

21 MR. STALL: Yes. Again, I -- I have not -- I don't
22 know, and I am surely not standing up here today to speak for
23 -- for the appointment authority.

24 I am -- I am -- I am wondering in my experience, using
25 that and projecting it on, where are the people who are

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1 desirous of them?

2 In other words, I told you that in my district I
3 have a limited number of minority groups. It is a large part
4 of the County, but it is still a limited number.

5 I have been approached, you know, one or two times
6 to speak to a group, a Legion group. The name right now --
7 that is made up mostly of Mexican-American people.

8 All of this talk by the organizations and the indi-
9 viduals, I have had no contact, no one has said, "I want this
10 appointment or this job."

11 Now, I -- this is my responsibility, in part, but I
12 think it is also the responsibility of the man that is even
13 at all interested, to let me know.

14 As to what has happened here on the State level of
15 appointments, I may be projecting what has come to the Gover-
16 nor's office, say, out of the other 120 legislators in Cali-
17 fornia.

18 I don't know that. I am saying that I am speaking
19 only from my --

20 REV. CASSO: Well, the reason I raise these points
21 of questions with you is because of your position with a major
22 political party --

23 MR. STALL: And that is a good thing, and I am glad
24 that you did, and I was not aware of these -- of these --

25 REV. CASSO: All right.

1 Now, we have heard testimony again this morning that
2 because a major portion of the people to whom the history of
3 San Diego owes a tremendous amount --

4 MR. STALL: Indeed.

5 REV. CASSO: -- and economically, and that that comes
6 in daily from the cousins across the border, we find ourselves
7 locked out of government by the lack of ability, by the gerry-
8 mandering process of inclusion for elected officials, and then
9 the business of education, we are locked out for the same pro-
10 cess.

11 We are locked out in employment, so it is very dis-
12 turbing to hear the testimony of the attorney from the Legal
13 Defense Fund in Los Angeles.

14 The people now are taking to the streets. You, in
15 your position, and your prestigious position, what can be done
16 to be able to share with the young that there is hope?

17 On the 31st he tells us there's going to be prob-
18 lems. How can we tell them there's hope, when we look at the
19 record?

20 MR. STALL: I agree with you here. I think this is
21 a -- is a very -- on this -- this is probably why you are meet-
22 ing. This is why we are talking about it, and I would be most
23 happy to see the results of this hearing, to see the testimony
24 and read it, and I hope you will make -- I see you are record-
25 ing. I hope that you will make copies available here.

1 I can assure you that I will do everything that I
2 can in this area. These are to me extremely startling statis-
3 tics, and I would like to look more into it.

4 I want to -- I want to assure you this, not as any
5 platform or rhetoric, that I will do this. And I am glad to
6 have this brought to my attention. Thank you.

7 CHAIRMAN SILLAS: Mr. Glick.

8 MR. GLICK: Mr. Stall, you stated the premise that
9 elections to public office should not be on an ethnic basis.

10 MR. STALL: Yes.

11 MR. GLICK: That there is no reason why an Anglo
12 can't represent a Mexican-American.

13 MR. STALL: Yes.

14 MR. GLICK: Or vice versa.

15 And certainly, in the abstract, I tend to agree with
16 that, but in the history of American politics, and the history
17 of minority groups in America, and I cite some examples, it
18 seems that it is not really until they build a strong politi-
19 cal base, and I would suggest the people from Ireland in
20 Massachusetts, principally in Boston; the Jewish people in
21 New York City; the Slavic people in Chicago, when they begin
22 to build a political base in the spoils of politics, which
23 plays some affair in the American economic life, then they
24 begin to gradually rise in education and in economic achieve-
25 ment, and things begin to work in their favor.

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1 Wouldn't you think that perhaps here in California
2 this same kind of process needs to take place with respect to
3 the Mexican-American people, that through the building of a
4 strong political base, although it may in a sense be contrary
5 to our idea of the melting pot, that it is only through that
6 building of a political base that their rise will really take
7 place?

8 MR. STALL: Well, you compared it to the immigration,
9 say, of the Irish, following the famine, to this country. I
10 don't -- and that is right, they did build a political base,
11 but they built it on what? They built it on their numbers in
12 part, I suppose.

13 They built it on the strength that they didn't want
14 to stay in this position or condition.

15 I don't think that we modified any of these laws to
16 let them get started on this political base.

17 Now, I may have misunderstood the rest of your ques-
18 tion. I surely would say to any group, black, or brown, or
19 white, yellow or whatever, that the way to achieve something
20 within our system is, you know, through a lobbying group, whe-
21 ther you call that a political base or what.

22 We have, for example, in California --

23 CHAIRMAN SILLAS: Speak a little louder, please.

24 MR. STALL: -- 20 million population. In this we
25 have a great number of voters. I have got, for example,

47 1 140,000 voters in my district, and every one of them becomes
2 a lobbyist to me for his own particular thing.

3 Teachers, and they form their groups, to achieve
4 their ends. I see nothing wrong here for a group of citizens
5 with like-minded goals and objectives to, as you say, move in
6 and form a political base. This is part of the system, and
7 I would commend that.

8 I don't know if we need a law to make it easier for
9 them to form this base. We surely have got all of the provi-
10 sions here for pressure groups, lobbying groups, whether they
11 are Republicans or Democrats, the teacher organizations, or
12 the school administrators, or the national -- or the contrac-
13 tors associations -- you know, to get some power in some way
14 to achieve the goals that they are active within our system.

15 I think this is fine. Now, did I miss the thrust of
16 your question?

17 MR. GLICK: No. I think you got it, and I don't want
18 to be argumentative, but I would just suggest, wouldn't it be
19 possible that if there are some statutes, un-Constitutional
20 provisions which establish districting for assembly and sena-
21 torial districts and city charters that establish councilmatic
22 districts, that presently tend to inhibit the building of a
23 political base by Mexican-Americans, shouldn't some considera-
24 tion be given to withdrawing these inhibitions through the
25 redrawing of district lines, or through the changing of city

1 charters to establish -- not changing the city charters, but
2 to change the councilmatic districts so as to promote the
3 building of this political base?

4 I am asking whether or not you would think that it
5 might not be advantageous to do this?

6 MR. STALL: I would say no, and I would say that
7 for the reasons that I brought out in my prepared remarks. I
8 think that this would contribute to a division.

9 We have been told repeatedly, you know, that we are
10 one nation. We should be.

11 And I think this sort of thing is going to divide
12 us further. Now, granted, you have brought up some problems
13 here, and I have pointed them out -- I tried to point them out.
14 Surely these figures here are startling enough, but I don't
15 think we are going to solve the problem by adding another item
16 to the laws on reapportioning by saying that it must be done
17 ethnically, because then we are going to have some built-in
18 permanent divisions that I don't think could be erased.

19 I say that if you have this strength, and it is
20 there, that there is something -- something has been wrong in
21 looking at this situation if there has been a conscious effort
22 to exclude the Mexican-American from participation in govern-
23 ment.

24 And the people involved in this, and the parties
25 involved in this should have this brought to their attention

1 through the means that we have available, and that goes for
2 the drawing of councilmatic lines, the supervisorial lines,
3 anything else.

4 But to draw those lines on the basis of a law that
5 we must do this because of a man's color, creed, or something
6 of this, I think we are then in a debasive figure approach.

7 MR. GLICK: Thank you.

8 CHAIRMAN SILLAS: Mr. Stall, you indicated that
9 every one of your constituents is a lobbyist in the sense of
10 being in your district.

11 MR. STALL: That is right. Vote on this bill; don't
12 vote on it. Push this measure; don't push that.

13 CHAIRMAN SILLAS: What percentage of your constitu-
14 ents are Mexican-American?

15 MR. STALL: It is very small. It is something like
16 -- I don't know -- something like about four per cent.

17 CHAIRMAN SILLAS: About four per cent.

18 Has your office taken any steps to contact directly
19 or take some steps to go to that four per cent? in terms of
20 finding out if they have problems, or what those problems are?

21 MR. STALL: No, but I -- not directly, no. In other
22 words, we have gone to -- as I mentioned before -- the Legion
23 Post that is made up of the Mexican-Americans. I have spoken
24 there.

25 I do have a -- a series of approaches that I make to

1 the entire district, districtwide approaches to everybody that
2 is registered, a newsletter, questionnaires, of which I have
3 had a fantastic response of people returning them, like 23 per
4 cent of the last questionnaires I sent out.

5 Columns in the paper. I do get -- I do get calls in.
6 I don't want to leave here today with you thinking that I have
7 no contact at all.

8 I can remember in the last, oh, since this last fall,
9 at least four that have had problems. One had a problem, as I
10 remember, Mr. Lopez from Carlsbad, a problem with a bank of
11 some sort, which we carried out through a fairly long compli-
12 cated procedure.

13 Someone else was having difficulty with some water
14 rights in a water district.

15 There was another problem with some unemployment. A
16 problem of compensation.

17 And I think the fourth one had to do with -- had to
18 do with an argument that he was having with his landlord.

19 That is four, like out of hundreds of calls that come
20 in. I do get letters in frequently on things like, "We need
21 more of this" or "more of that."

22 CHAIRMAN SILLAS: All right.

23 The people are apparently still having difficulty
24 hearing you in the back.

25 MR. STALL: I don't understand it. The Senate over

1 here hasn't provided very good speaker systems. I will try to
2 talk louder.

3 CHAIRMAN SILLAS: All right.

4 Are the four per cent in one area, or are they --

5 MR. STALL: No, they are scattered around. My dis-
6 trict runs from Orange and Riverside in the north to the Mexi-
7 can border, and from Imperial on the east to the ocean, and
8 excludes the City of San Diego and South Bay, and there is a
9 great concentration of Mexican-Americans in South Bay.

10 I have a few precincts in Oceanside, and then a
11 limited number down along the border, really.

12 CHAIRMAN SILLAS: Faced with the situation as we
13 are, with those statistics, and the realities as you have
14 pointed out about the Republican and Democratic Party process,
15 and accepting the premise as you have indicated about repre-
16 sentation being one that should be available to all parties,
17 all persons, how would and how should the Mexican-American
18 community go about to change those figures, to become a
19 greater part of this political arena that we find ourselves
20 in?

21 MR. STALL: Well, as I mentioned previously, again
22 I think this could be done with -- in many ways. It could be
23 done with the formation of organizations. It could be done
24 with the formation of a group who would call on their elected
25 officials or write letters.

1 It surely should be the responsibility, too, on the
2 other side of those of us in positions where we can hire, or
3 we can influence appointments to be aware of these things.

4 CHAIRMAN SILLAS: Do you feel that part of this
5 problem is caused by not knowing? In other words, that the
6 political parties and leaders are unaware of this situation,
7 that if it was brought to their attention, it could be changed?

8 MR. STALL: If you are asking me if this is an inten-
9 tional thing, then I will have to answer your question yes,
10 because I do not think this is intentional or on purpose, and
11 I again have to speak on my background.

12 CHAIRMAN SILLAS: Do you think this has occurred
13 unintentionally?

14 MR. STALL: Yes. I don't think there is any inten-
15 tion --

16 (Laughter from the audience.)

17 CHAIRMAN SILLAS: Father Casso?

18 REV. CASSO: Yesterday Dr. Bravo showed us a memor-
19 andum wherein commitments were made to him by the present Gov-
20 ernor of the State to help change some of these appointment
21 figures, and his testimony was that these commitments were not
22 kept, although sizable amounts of people voted Republican in
23 that given year, so that being the case, how do you see that
24 this can be changed, when commitments like that are not kept?

25 MR. STALL: Well, of course I don't know the details

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1 of the letter of Dr. Bravo or his testimony, that sort of
2 thing. I would be hard put to say.

3 You know, if a man makes a commitment, and then
4 doesn't keep it, that is bad, and something should be done
5 about that. I would like to see the testimony, or read the
6 letter. I cannot believe, in my dealings with the Administra-
7 tion, -- and I have been with them for four years -- that this
8 could really be the case, that there could have been an inten-
9 tional effort here to deceive and defraud.

10 REV. CASSO: I believe that is going to be part of
11 the record, is it not?

12 MR. STALL: Yes. I would be happy to see it.

13 CHAIRMAN SILLAS: I want to thank you, Assemblyman
14 Stall, for appearing here.

15 I think one of the recommendations that this Commit-
16 tee will make to the Mexican-American community will be to
17 form and have these groups gathered and meet with your caucus,
18 with the Democratic caucus, and present these items.

19 MR. STALL: I think this is an excellent idea, and
20 again I have talked to -- in my district I have talked to hund-
21 reds and hundreds of groups, and hundreds and hundreds of
22 people, and I would hope that we might include more, say, in
23 my district, and in all of the districts around the State where
24 we have this communication.

25 There may be some feeling that there is a problem

1 that somebody is trying to sweep under the rug. It is not a
2 great problem to me, due to the fact, as I say, in my own dis-
3 trict I haven't had this problem, but I would hope that we
4 could open the doors and reach something here.

5 I want to leave with just one statement, that I hope
6 we don't have to go to legislation to achieve this objective,
7 that it can be done by good will on both sides.

8 Thank you very much for the opportunity to appear.

9 CHAIRMAN SILLAS: Thank you.

10 The next scheduled witnesses will be three, Martin
11 de Leon, Cody Colchado, and Dan Ruiz.

12 Would you state for the record your name and occu-
13 pation?

14 MR. RUIZ: Daniel Ruiz.

15 MR. DE LEON: Martin de Leon.

16 MR. COLCHADO: Cody Colchado.

17 MR. RUIZ: We are three Chicano graduate students in
18 the Mexican-American education project at Sacramento State
19 College, of which there are 20 of us.

20 We have been in education for a minimum of two years,
21 for a maximum of 15 years, so we know some of the things that
22 have been going on in the educational field and in some of
23 the areas of neglect, as far as the Chicanos are concerned.

24 Our paper deals specifically with political, econo-
25 mical and educational concerns of the Chicano migrant.

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1 And we have copies for each and every one of you,
2 so I won't go into reading our entire paper.

3 However, -- by the way, I should mention that we are
4 working on a master's degree in bilingual education, because
5 we are concerned about figures.

6 Recently we had a speaker from the State Department
7 who came to speak to us, Dr. Eugene Gonzalez, who stated that
8 in California there are 530,000 students in EMR classes, Edu-
9 cational Mental Retardation, and we find that the highest per-
10 centage, 20 per cent, are Spanish-speaking, and we know the
11 figure is too high.

12 We are also concerned about percentages, like 50
13 per cent of Spanish-speaking in California drop out by the
14 eighth grade, by the time they get to the eighth grade.

15 And these are some of the areas that we feel as edu-
16 cators we will be able to have some input when we go back to
17 our respective communities, our respective districts.

18 However, in this area, as far as the migrant is con-
19 cerned, let me share with you and the audience a few of our
20 remarks in our papers that I think summarizes our feeling as
21 far as the migrant, and also the Spanish-speaking in this
22 state and in our country.

23 The word "Chicano" has taken on greater significance
24 and general acceptance.

25 For the Mexican-American youth it has taken on a

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1 meaning of self-realization, a feeling of dignity and pride,
2 and a new sense of worth, as well as a renewed sense of pur-
3 pose.

4 This new sense of purpose has given him the strength
5 to demand changes in an educational system that has failed to
6 consider both his individual need and his cultural heritage.

7 The Chicano upheaval, the Chicano movement, the Brown
8 Power struggle, has also taken place among young Mexican-Ameri-
9 can parents who are not willing to settle for the same educa-
10 tion for their children that they received.

11 Their plea seems loud and clear. "We are Americans,
12 too, and damn it, we want a fair share of the pie."

13 We in the Mexican-American Education Project are con-
14 cerned with the plight of the Spanish-speaking migrant worker,
15 the uneven voting laws that he faces, and the educational neg-
16 lect of their children.

17 Let us take a closer look at the migrant population
18 here in California. An estimated 190,000 agricultural migrant
19 workers and their families were on the move in 43 counties in
20 California during 1968.

21 About 81 per cent of them were of Mexican origin.
22 Fourteen per cent were Anglo, and the balance were American
23 Indian, Negro, and other ethnic groups.

24 Of this total migrant population, Californians
25 accounted for approximately 60 per cent, and the rest were from

1 other states and Mexico.

2 Thirty-one per cent of the wives of these farm
3 laborers had five or more children. This compared with 14 per
4 cent for all other occupational groups.

5 The average annual wage earned by California farm
6 workers in 1965, including nonfarm earnings, was \$1,388.

7 In 1967 the average hourly wage for California farm
8 workers was \$1.62, which compared favorably with the \$1.33
9 hourly wage paid to farm workers in other parts of the country.

10 However, these wages were the lowest of all indus-
11 tries. \$1.73 for laundry and dry cleaning workers was the
12 second lowest. And \$4.09 for construction workers was the
13 highest.

14 These are for us the areas which, as educators, we
15 must be cognizant of if we are going to make our contribution
16 to the Chicano movement.

17 The role of the educators is an important one, and
18 we are prepared to face the challenge. Are you?

19 Politically, economically, and socially our total
20 efforts will affect not only the survival of our educational
21 system, but will insure equal opportunities under the law for
22 all of our citizens and the ultimate survival of our nation.

23 (Whereupon, Mr. Ruiz continued his presentation in
24 Spanish.)

25 Enough said. We are Americans, and we have the

1 (Applause.)

2 MR. DE LEON: This is on education. The educational
3 statistics for Mexican-Americans are shocking.

4 For example, their drop-out rate is more than twice
5 the rate of the national average.

6 An estimate of the average number of school years
7 completed by Mexican-Americans is 7.1 years, and is signifi-
8 cantly below figures -- below figures of Anglo children, which
9 is 12.1.

10 A VOICE: I have an announcement.

11 CHAIRMAN SILLAS: All right.

12 (Discussion off the record.)

13 CHAIRMAN SILLAS: We will be in order again.

14 MR. DE LEON: An estimate of the average number of
15 school years completed by Mexican-Americans is 7.1 years, or
16 significantly below figures of Anglo children, which is 12.1,
17 and Negro pupils, which is 9.0 years.

18 A 1964 survey revealed in Texas that 39 per cent of
19 its Mexican-Americans had less than a fifth-grade education.
20 And Mexican-Americans, 25 years of age or older, have as little
21 as 4.8 years of schooling.

22 Almost half of the Mexican-Americans in Texas are
23 essentially still functionally illiterate.

24 In California, 50 per cent of the Spanish-speaking
25 students drop out of school by the time they reach the eighth

1 grade.

2 These are some of the things that we in the Mexican
3 American Educational Project are serving, researching. We don't
4 like the figures.

5 Mr. Ruiz stated that there are 20 graduates in the
6 Mexican-American Project of roughly about 40 undergraduate
7 students.

8 The purpose is to come in, get educated, and return
9 to the barrios, return to our home towns. We come from all
10 over the State of California.

11 We have pupils from San Diego, Los Angeles, practi-
12 cally every point in the State of California.

13 We are concerned about not only the education, but
14 the discrimination and, gentlemen, you name it, and we are
15 trying to put a stop to this.

16 CHAIRMAN SILLAS: Thank you.

17 Any questions?

18 MR. GLICK: No.

19 REV. CASSO: You mentioned your concern about the
20 migrant and the laws, particularly the voting laws that affect
21 the migrant.

22 And since we are concerned here as to the political
23 involvement of the Mexican-American and how politics and how
24 the laws affect the Mexican-American, is there a recommendation
25 that you can make to us that we can make to do something about

1 the challenge, the problem with regard to laws as they affect
2 the migrant in voting?

3 MR. RUIZ: Well, for one thing, when you are talking
4 about a Chicano, you are talking about a lot of problems, and
5 then you talk about a migrant, and you are talking about 100
6 per cent just that much more, as far as education and as far
7 as being politically aware.

8 The migrants are completely isolated from anything
9 as far as the political arena or the educational arena, because
10 of the fact that they are nomadding, they move around.

11 There are several things installed into the system
12 that says you have to do something before you vote. You have
13 to be here to vote. They are unaware about absentee ballots.
14 They are unaware about many other things as politics, and we
15 felt that the unawareness was there because of the educational
16 system which has not functioned to their needs.

17 So the recommendation -- the main recommendation that
18 we have is that we are in some way -- that the educational
19 system start looking at the migrant, and start servicing them
20 a little bit better.

21 CHAIRMAN SILLAS: Mr. Gabourie?

22 MR. GABOURIE: No questions.

23 CHAIRMAN SILLAS: Gentlemen, thankyou for your pre-
24 sentation, and you will be receiving one of our final reports
25 which will have your documents and comments, and our

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1 recommendations.

2 Thank you again.

3 Our next scheduled speaker is Richard Calderon.

4 Will you state for the record your name and occupa-
5 tion, please?

5

6 MR. CALDERON: My name is Richard Calderon from Los
7 Angeles, and presently I am employed as research project super-
8 visor for the training programs.

9 At this time I would like to thank the Commission
10 for the opportunity to speak here today, and you will be
11 receiving a copy of my statement.

12 CHAIRMAN SILLAS: Richard, could you talk a little
13 louder into the mike?

14 MR. CALDERON: You will be receiving a copy of my
15 statement that Mr. Erickson is distributing right now.

16 I realize that the Commission is nonpartisan in
17 nature, but when speaking of representation for the Chicano
18 community, we have to realize right off the bat that 90 per
19 cent of our community are registered Democrats.

20 And my particular activity in politics has been in
21 the Democratic arena. I feel that my personal experience in
22 politics reflects in many ways the frustrations of the Mexi-
23 can-American community in trying to achieve representation.

24 I have attached a little resume sheet that gives my
25 own personal involvement and experience, and I am sure that

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1 the materials previously submitted in the past two days, that
2 you have received a substantial number of examples of gerry-
3 mandering of the Chicano community.

4 I have attached my copy of what I feel is the gross
5 political emasculation of the Mexican-American community in
6 Los Angeles. That is under Exhibit No. 1.

7 In addition, I am submitting Exhibit No. 2, that in
8 my estimation would indicate that a Mexican-American candidate
9 has an excellent chance to win the majority of the votes in
10 any district where the Spanish-surname percentage is 35 per
11 cent of the total registered voters.

12 By this I mean to indicate that meaningful oppor-
13 tunity can be afforded the Mexican-American community only
14 where districts are constructed with this percentage (or
15 higher).

16 This is aside from the comments that I have compiled
17 together, because I feel it is very important that I respond
18 to one of the previous speakers. I believe his name was
19 Stall, from San Diego.

20 And he commented that maybe this Commission, or
21 maybe some other participants are injecting racism into the
22 electoral process.

23 Let me suggest that racism was injected a long time
24 ago, and it wasn't injected by our community. And by this I
25 would document it by a study that was made in 1964 by the

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1 California Democratic Council that listed all of the assembly
2 candidates from Santa Barbara to the Mexican border, and it
3 was listing them in an order of receiving votes from Democra-
4 tic registered voters.

5 In other words, what they were assessing was the
6 Democratic loyalty. And in that year with approximately 50
7 assembly districts, they found that the persons rating the
8 lowest, and the persons who were incumbent at that time --
9 there was a person by the name of Bill Soto, a Chicano, who
10 was residing in the district that was over 60 per cent Demo-
11 cratic in registration, and he barely won that election by
12 approximately 1,000 votes.

13 He had the lowest rating of any assemblyman incumbents
14 in the Southern California area. When they assessed those per-
15 sons who were the nominees of the party, the person who rated
16 the lowest for Democratic loyalty as far as the voters were
17 concerned, it was Cruz Reinoso, a candidate out in the Imperial
18 area, who lost the race by 8,000 votes in a district that he
19 should have won if we are just talking about the number of
20 registered Democrats by at least 10,000 votes.

21 His was also a district that was over 60 per cent.

22 And gentlemen, I think this is more than just an
23 isolated situation. I think it is a pattern, and I think we
24 can show time and time again that there are many registered
25 voters, registered Democrats who are from the majority commu-

1 nity who will simply not vote for a Mexican-American candi-
2 date because of the racism that he is injecting into that
3 particular election.

4 So I repeat, racism has been injected a long time
5 ago, and we are not injecting it for the first time.

6 As a realist, I fully realize that the humanitarian
7 appeal is not the most effective way to achieve representation
8 due to our community.

9 I know that the districts are drawn by legislators
10 whose first concern is individual survival, rather than dedi-
11 cated to the total communities of the State.

12 However, I believe that many of these same persons,
13 of the Democrats, can benefit in a greater magnitude in the
14 long run by creating districts where Chicano representation
15 can be achieved.

16 I would like to cite a couple of examples what might
17 be forthcoming, and how it would -- I think you can draw your
18 own conclusions -- how it would affect the Democratic Party.

19 And again, the reason I am saying this is the major-
20 ity of our people are registered Democrats, and the realities
21 are -- and the Democratic Party has the majority and will be
22 the dominant force in calling the shots for the new districts.

23 The La Raza Unida Party is now in the forming stage
24 as a result of many years of frustration in our community.

25 If Mexican-American districts are constructed in

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1 this State, I believe that the energies of our community will
2 be channeled to achieve representation in those areas.

3 Conversely, if no districts are drawn in our behalf,
4 I foresee the strong possibility of La Raza Unida Party develop-
5 ing and qualifying for the 1972 general elections.

6 The net effect would then be that it would certainly
7 fill the role of a "Spoiler" for any Democratic district that
8 would have 15 per cent or better Spanish-surname registration.

9 I am also sure that the 1972 Presidential elections
10 are paramount to the Democratic Party, especially when one
11 considers the pivotal position of California now that it will
12 have the largest number of electoral votes in the nation.

13 In this light, any disaffection by a significant por-
14 tion of the Democratic Party in California will have national
15 repercussions.

16 And I feel very strongly that if our community is
17 slighted again in this year's reapportionment, that many per-
18 sons would listen to and become involved in a freedom delega-
19 tion.

20 I would like to remind the Commission that this
21 occurred at the previous National Democratic Convention, where
22 the Mississippi Freedom Delegation was fighting to be seated.

23 I think that we would be getting many allies because
24 it would prove the contention of many Southerners that the
25 Eastern and Western States are unjust in many ways to the

1 minorities, as well as the Southern States have been accused.

2 And because of this, I feel there would be strong
3 support by the Southern delegations to impede the seating of
4 the largest delegation in this country.

5 I realize that the problems are many, and they are
6 very complex in drawing the lines, and I realize that it will
7 also be additionally difficult in Los Angeles County, since
8 we will be losing three assembly districts.

9 And I know that to further accommodate our community
10 by making four or five assembly districts in Los Angeles County
11 further compounds the issue.

12 Yet I want to remind everyone here that there are
13 potential national implications, and these problems, although
14 they seem to be major now, can be reduced to a more simple
15 denominator, and that being that if the Democratic Party at
16 this point finds some manner to resolve the problems of placing
17 eight persons in some sort of position where they really feel
18 that they are being elevated, that they are being accommodated,
19 I think that will be much simpler to do at this time than next
20 year, trying to rationalize and justify to over two million
21 Mexican-Americans in this State why they were excluded from
22 the democratic process.

23 That's the conclusion of my remarks, gentlemen.

24 CHAIRMAN SILLAS: Thank you very much, Mr. Calderon.

25 Mr. King, any questions?

67 1 MR. KING: No.

2 CHAIRMAN SILLAS: Mr. Glick?

3 MR. GLICK: No.

4 CHAIRMAN SILLAS: Father Casso?

5 REV. CASSO: Mr. Calderon, did you hear the testi-
6 mony this morning for these facts and figures that were pre-
7 sented?

8 MR. CALDERON: Not those that you showed a little
9 while ago. I saw the reference to them.

10 I might amplify a little bit, that same gentleman I
11 referred to earlier indicated that he didn't feel that there
12 was a large enough block, population, to make districts for
13 our communities for representation.

14 And I will say right here that it is an outright
15 falsehood. I have been involved in Los Angeles County for the
16 last nine, ten years, and under Exhibit 1 you will see where
17 the Eastern part of Los Angeles City is cut in two by three
18 councilmatic districts, and that portion that I am referring
19 to is about 75 or 80 per cent Mexican-Americans.

20 When you extend further east into the County area,
21 you will find that six assembly districts cut into that east-
22 ern portion of the County, which again is heavily populated
23 by the Chicano community, and there is no question in my mind
24 that we could have at least one, if not two, congressional
25 districts, and a minimum of one state senate, and a minimum of

1 four assembly districts from that immediate area, with 35 per
2 cent or better registration.

3 REV. CASSO: Mr. Calderon, do you find these figures
4 here disturbing?

5 MR. CALDERON: I do, but I will say this: I have no
6 confidence in appointed positions, because these positions
7 don't allow real latitude, real freedom to act.

8 My belief is that the only area where you can get
9 some independents are those positions that are elected.

10 I feel very strongly that no one is going to give
11 us anything. I think that the only way that we will get some-
12 thing is when they realize that they have something to lose if
13 they don't do it, so I don't think that I, myself, and many
14 of the other people are here pleading for something, but we
15 are just suggesting what has to be done if their particular
16 structure is not one to remain -- well, if their structure is
17 not going to be threatened in the future, and I am implying
18 right now to the Democratic Party structure, that it is defi-
19 nitely threatened within the next year if they don't act in
20 a proper manner, for their own benefit, as well as ours.

21 REV. CASSO: One final question, Mr. Calderon.

22 Do you have an opinion as to why 1961, the redividing
23 of these lines, was made, as to the reason they were made?

24 MR. CALDERON: Well, if you are talking about the --

25 REV. CASSO: I am talking about Los Angeles, your

9
1 area now.

2 MR. CALDERON: Why we were cut up?

3 REV. CASSO: Yes.

4 MR. CALDERON: Well, the primary consideration was
5 a self-serving consideration, and it happened that in 1960
6 the Democratic Party was also in power, and numerically or
7 arithmetically, it benefits the Democratic Party to cut up our
8 community, because what they are doing is slicing into a rich
9 pie where the registration is 90 per cent or better Democra-
10 tic, and by each district taking a chunk from that rich pie,
11 they come out with districts that are 60 per cent or better
12 in registration, so it gives them the opportunity to get more
13 Democratic districts.

14 What I am saying now is that the community in East
15 Los Angeles is not the same community that existed in 1960.
16 I don't think there are fears of acting out against estab-
17 lished structures, such as the Democratic Party, and I am sure
18 that the Democratic Party is well aware of the sensitivity of
19 the entire country to the results of any actions within the
20 State.

21 And I repeat, I think it definitely threatens
22 national Democratic politics. I think they can be seriously
23 challenged at the National Convention in '72.

24 REV. CASSO: Did you hear the testimony yesterday
25 of Mr. Waxman, an assemblyman in charge of reapportionment?

1 MR. CALDERON: I was not here yesterday.

2 I heard someone comment that he wasn't even con-
3 vinced that there should be districts made up in the nature
4 that we would like to see.

5 I am sorry to see that he has either been misinformed
6 or ill-informed, and I think that with this type of attitude,
7 his leadership in the Democratic Party, I think, is certainly
8 going to be diminished, because we are going to be a much
9 more significant party, and his remarks, I think, are
10 recorded and will be remembered.

11 CHAIRMAN SILLAS: Mr. Gabourie?

12 MR. GABOURIE: No questions.

13 CHAIRMAN SILLAS: I have a couple here.

14 Mr. Calderon, you used the number eight as being a
15 number which you felt would be acceptable to the Chicano com-
16 munity in the reapportionment.

17 Is that breakup four assemblymen, two congressmen
18 and two senators?

19 MR. CALDERON: Well, actually, if we are talking
20 about strictly proportionately, I would say 4.8 assemblymen
21 in Los Angeles County.

22 I don't have a breakdown of the rest of the counties
23 in the State, but L. A. County would be 4.8, and that would be
24 a minimum of two state senate districts, and two congressional.

25 MR. REINHARDT: You also use the per cent of 35 per

71 1 cent as being what you considered a safe figure for a Chicano
2 candidate.

3 What do you base that opinion on?

4 MR. CALDERON: Well, I made an assessment of the
5 results of the elections that I was recently involved in for
6 the 29th Congressional District, and we found that without
7 question, anywhere we had even close to 35 per cent of the
8 registered votes, we carried that area heavily.

9 It was the marginal areas of 20 to 25 per cent that
10 we had problems. Some we won, and some we didn't.

11 Where there was 35 per cent, there was no question.

12 CHAIRMAN SILLAS: All right. Thank you very much,
13 Mr. Calderon, for your appearance and testimony. Your report
14 has been received.

15 We will now take a five-minute break.

16 (A short recess was taken.)

17 CHAIRMAN SILLAS: Our next scheduled witness is Mr.
18 Abe Tapia, President, Mexican-American Political Association.

19 (Applause.)

20 CHAIRMAN SILLAS: Would you state your name for the
21 record, and occupation, please?

22 MR. TAPIA: Abe Tapia, professional agitator, Chicano
23 agitator.

24 But for the record, all that this Commission has to
25 do is call the local Police Department, the FBI, the Justice

1 Department, and you will have all of the facts before you of
2 who I am and what I represent, and what organization we have
3 been trying to develop in terms of politics, since we are
4 going to address ourselves to the exclusion of Mexicanos in
5 the State of California.

6 But before going into any remarks with respect to
7 allowing the members of this Commission, since they are all,
8 I am sure, not bilingual --

9 CHAIRMAN SILLAS: Could you speak up a little more?

10 MR. TAPIA: All right.

11 I am going to say some words in Spanish. I am sure
12 that there's much need for this Commission to once again
13 address itself to the problem of Spanish-speaking.

14 We have in the past come before you to present testi-
15 mony in English. That in itself is not, you know, of any
16 value to the Spanish-speaking who are out there in the State
17 of California and are not in fact being informed of what you
18 are doing or what you intend to do.

19 I think this Commission owes a responsibility to
20 those three million Mexican people that are there, those mono-
21 linguals who do not speak, read or write English. I think you
22 should have these sessions in Spanish.

23 I think you ought to address yourselves to the very
24 important factors that we have to present to you as indivi-
25 duals that represent the respective communities.

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1 I think you must, you know, align yourselves with
2 the Spanish-speaking, if you are truly seeking to change or
3 trying to find ways in which to help the Spanish-speaking.

4 (Whereupon, Mr. Tapia delivered a 30-minute presen-
5 tation in Spanish. Said presentation has been preserved on
6 tape, which is now in the custody of the court reporter.)

7 I am going to go into the reasons of why we have
8 been in the situation as we are, in the political mainstream,
9 particularly.

10 And I wish to -- because we do have a representative
11 of the Democratic Party here, I wish to call attention to
12 representatives of the Democratic Party and the Republican
13 Party, as well.

14 The Democratic Party with the idea that liberals are
15 the best for the Mexican community, that the Democratic Party
16 is the ideal party for the Mexican people has tried to convince
17 us, and in fact has practiced, you know, psychological geno-
18 cide on our people by always saying that the Democratic Party
19 since the days of Roosevelt has been the one who has kept you
20 alive, that they have been the ones who have given you every-
21 thing that you have.

22 What have we? We lost California for being too good.
23 That is what they gave us.

24 It was those Democrats that gave away California --
25 took it away, I should say, but we wish to remind the

1 (Applause.)

2 MR. TAPIA: I think the Democratic Party ought to
3 address itself to the question of these districts now, once
4 and for all.

5 If they fail to realign the districts or cut them
6 up as they do to the interest of the Mexican people, they
7 will suffer. They will suffer in defeat, and I propose that
8 we go to the National Convention with the National Convention
9 with the Freedom Organization and go into the National Con-
10 vention and say to them that California is no different than
11 the South; in fact, it is even worse.

12 They have racial bigots in the State of California
13 that have practiced this kind of discrimination against the
14 Mexican-American people for many years, and it is high time
15 that this Commission, as well as those in -- members of the
16 Legislature address themselves to those problems.

17 It was those liberals that were in power, those
18 Democrats that were in power that now we say, "How come we
19 are in the situation that we are in?"

20 We should have been saying to them at those -- years
21 ago -- and we did -- "Why didn't you align the districts to
22 help our people, as you did the black community?"

23 "Why did you sit by quietly when everyone was prac-
24 ticing genocide against our people?"

25 "Why didn't you, the forefront-runners, the good-

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1 minded people, the Democrats, do something about discrimina-
2 tion in housing?

3 "Why didn't you do something about employment, as
4 far as the Mexican community?

5 "Why did you let education get down to the standard
6 that it is now?

7 "Why did you deny that child, you know, the right
8 to partake as co-equals with anyone else?

9 "Why did you try to rob the person here in this
10 State of California of his language?"

11 This Democratic Party -- and I have in the past
12 presented it to the party, that "you must change, and you must
13 reform yourself", and I mean reform it that all languages of
14 the Democratic Party coming into the circles from the states
15 of local level be in Spanish. Everything coming out of the
16 Democratic Party, as well as the Republican Party must come
17 out in Spanish, so that our people can truly feel that they
18 can partake in this society.

19 If you ignore the question of the language, and you
20 do not move to insure that the ballots are written in Spanish,
21 if you do not move to make it a must that when you come to the
22 Convention of the Democratic Party, that you have everything
23 that is being said, that everything is being presented in Span-
24 ish, that when you have individuals that appear before the
25 Democratic Party, that they be given the right to speak in

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1 Spanish.

2 The Democratic Party hasn't done that, nor do I see
3 a change in it.

4 I have seen the proposal that they have before them
5 now. It is again the same redundant type of discrimination in
6 a hidden form.

7 They talk about how we are going to be given oppor-
8 tunities. I question whether they will give us opportunities.
9 I question whether they will in fact ever be able to really sup-
10 port Chicanos in local races, assembly races, senate races, and
11 we even have members of the Legislature, from the Senate, try-
12 ing to inject in the Senate record -- or have injected in the
13 Senate record that organizations such as MALDEF, because they
14 are racist, because they only stand up for Mexicans, that

15 That is true. Who else is going to stand up for them?
16 Somebody else?

17 Well, the answer has been for hundreds of years, no.
18 No one has stood up for the Mexican community, and if it must
19 be on the record that MALDEF is racist, then let it be so, but
20 it is you who created the racism.

21 We are there only fighting to gain some representa-
22 tion in our State of California on the basis of being right,
23 on the basis that you tax our people, and you have no right to
24 tax them if you do not give them representation.

25 I think you have to live up to the principles of the

1 Constitution. You have to address yourself to the change that
2 is necessary.

3 If you do not, you will not have a Democratic Party.
4 You will fail miserably.

5 As you know, in this last election, many Democrats
6 felt, and many of you talked about it, how do we keep organi-
7 zations such as MALDEF and other Chicano groups from getting
8 organized to the point that it will be a threat against local
9 assemblymen and local senators?

10 You can't do that any longer. With three million
11 people coming into the stronghold of the State of California,
12 you are going to have a war, a continual war. We might lose
13 a battle, but the war goes on, and I think that is what we
14 are indicating to you, that we are asking for peace and tran-
15 quillity, just as much as you are, but we are not going to
16 take a step backwards.

17 I think that the Democratic Party ought to talk about
18 the districts that we wish to obtain for the Mexican community,
19 such as the 45th, the 48th, the 51st, the 50th.

20 Those districts, you know, that are heavily popu-
21 lated by the Mexican community. You and I know it, that
22 there is well over one million people in that very area of
23 the County there, and also you know there's some 600,000 Span-
24 ish-speaking people in that area, and yet we have no repre-
25 sentation.

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1 Out of one lousy little district in the State of
2 California, the very smallest district in the State of Cali-
3 fornia, we were able to finally obtain representation, with
4 the 40th District. That is not enough, when you have three
5 million people residing in the State of California.

6 What the Democratic Party ought to do, the Republi-
7 can Party ought to do, and all of those high liberal-minded
8 people, they ought to call attention to the Nationalization
9 Act which discriminates against the Mexican-American people.

10 That Act says that we cannot become citizens merely
11 because we can't read the English language, or that we can't
12 read the Constitution in English.

13 That is what you ought to do if you really want to
14 change, because out of that you will get many, many more people
15 that will be able to participate, and I mean participate as
16 co-equals.

17 You will be able to give them an entry into society
18 that is, above all things, a necessary thing for this society,
19 if we are able to survive.

20 You cannot go on, you cannot go on and keep Mexican
21 people in ignorance. You cannot go on and discriminate against
22 them on the basis of laws or administrative rulings, because
23 you feel that's right for this country.

24 You can do some things, though. You can free them
25 from that bondage, from that bondage that has kept them, you

1 know, into a situation that they have been unable through the
2 courts -- they have been unable through the courts, mind you.
3 We have tried everything. The peaceful route has been the only
4 way that we have tried, and yet we have failed to achieve any
5 kind of equality or any kind of suggestions from those in power
6 that we are really going to get a change in the State of Cali-
7 fornia, as well as in this country.

8 We know that that Walter-McCarran Act needs to be
9 changed, and you can't allow those in power, those that use the
10 offices of immigration to suppress our people, such as George
11 Rosenburgh in Los Angeles, that individual ought not to forget
12 that the Jews suffered genocide, you know, in Germany, and
13 we don't wish it to be practiced against the Mexican people
14 through the process of administrative laws and rulings.

15 I think he ought to have the courage and conviction
16 to stand up and say that the laws of immigration and naturaliz-
17 ation aren't just.

18 I find it out of order when I see Mexican-American
19 people being exploited, when I see them being denied the right
20 to health care, and being denied the right to organize them-
21 selves into unions, when I see them being attacked by the
22 police. I see this as totally unacceptable to me as a Mexican,
23 and citizen of this country.

24 I find this unacceptable, and I think we have to
25 change those laws in order to allow our people to maintain

1 their status here as well as anyone else.

2 We wish to remind the United States, and also this
3 Legislature, that we cannot allow employers to tax our people,
4 pay income tax, Social Security, FICA, anything else that you
5 can talk about -- and they talk about them being illegal.

6 They employ them, and they tax them, and then they
7 deport them. You have no right in this State of California to
8 deport anyone, especially when you are cheating them and rob-
9 bing them. This country does not have that right, nor are we
10 going to allow it.

11 You must pay back every cent that every person that
12 you call an illegal -- every person that has been deported;
13 we wish them to be brought back into the community, into the
14 Mexican community, or give them back to the Mexican people
15 who are back on the other side of the border.

16 You must pay that penalty, because the United States,
17 in collusion with the State of California, where the majority
18 of the Mexicans are, have practiced this type of a situation
19 where they have taken moneys from our people and have used it
20 for the wars of Vietnam. This we oppose, totally.

21 A VOICE: Right on.

22 (Applause.)

23 MR. TAPIA: It also should come to your attention,
24 and I heard it yesterday in testimony, that once you have an
25 electable candidate, that this is what we need. This is a

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1 bunch of b. s. We don't need an elected candidate. We need
2 a candidate that comes from the community, and selected by the
3 community, and we don't give a damn if the Democratic Party
4 likes him, or the Republican Party likes him.

5 We are going to select him, not the parties. The
6 Chicano community is going to select their own candidates,
7 and that is why I have been trying to resolve some of the
8 problems in our own community of unifying our community so
9 that we can, once and for all, determine what are we going to
10 do with the two-party system that affects us every day? Every
11 day the most miserable of conditions.

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

16 We are going to continue to hound each and every one
17 of you. We are going to practice that psychological damage
18 on your minds, as Cesar Chavez has.

19 (Applause.)

20 MR. TAPIA: We are going to practice that psycholo-
21 gical damage that Cesar Chavez has practiced on the ranchers.

22 Can you imagine those growers every night going to
23 sleep and wondering, what is that little Mexican going to do
24 tomorrow? That is really a damaging thing.

25 He is wondering if he is going to lose all of his

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1 fields, lose all of his help.

2 And he is not using one single weapon, just the wea-
3 pon of being right. A person that is doing something that is
4 just, and that is the kind of war that we are engaged in.

5 I think it is a war that we are going to continue,
6 and we must continue where we are able to. We must always be
7 there at the forefront in order to obtain at least tranquillity
8 and at least to obtain representation that we so much need.

9 But one of the things that we can sum up, and that
10 is important for you as representatives of the parties, and
11 also representatives of the various communities, to recognize
12 the fact that when we have struggles in this country, the
13 Mexican people, we have well over 15 million, possibly, Mexi-
14 can people in this whole country of ours, but the thing that I
15 wish to remind the State of California, being the closest to
16 the Mexican border, that there are 300 to 400 million Latins
17 that don't necessarily favor the United States, and I wonder
18 how much more you are going to punish Mexico, how much longer
19 are you going to go on with your sort of buying out those coun-
20 tries.

21 You can't practice imperialism in Mexico, because
22 we are not going to allow it as Mexican-Americans or citizens
23 of this country, because we tend to believe that because you
24 have, in fact, perpetrated -- and I am talking about the United
25 States and citizens -- have perpetrated such a situation

1 throughout the Latin-American countries that you don't have
2 any friends there at all.

3 We know why you don't have any friends. You don't
4 take care of even those Mexicans in this country, so how can
5 they ever say to you that you have been fair? How can they
6 say to you that you are really trying to solve the problems
7 that affect everyone in this society?

8 How can you say it is a melting pot, when there's 10
9 or 15 million people out of a job?

10 But you must remind yourself every night that
11 there's three or four hundred million that are watching you
12 every day. It is not the yellow race. It is all of those that
13 surround us, all around us, every day.

14 And I know one thing, the day will come when the
15 Mexican Government will uprising. I know the day will come, and
16 then they will say to you, "You must pay back every penny that
17 you stole from the Mexican community. You must pay."

18 (Applause.)

19 MR. TAPIA: There is a process that we have already
20 stated before, and we will state it here. MALDEF is organiz-
21 ing in Mexico, as well as here in the United States, and we
22 are going to continue to do so.

23 We are going to engage in these struggles that are
24 going to be for the determination of our people, and that we
25 are going to call attention in the country of Mexico to the

1 wrongs that they also have, but that they must also address
2 themselves to the problems that they have in the communities
3 here in the United States; that they must challenge the Presi-
4 dent of the United States, and not let President Nixon, or
5 any President, for that matter, perpetrate the buying out of
6 people, and enslavement of the people such as they are doing
7 along the border.

8 What they are doing now, because they can't find the
9 black community, and they can't enslave them no longer, they
10 are now trying to enslave the Mexican community along the bor-
11 der. This we will not tolerate.

12 We are going to get rid of those conglomerate indus-
13 tries that we have in Mexico, and outside on the borders. We
14 are going to find a way in which to eliminate them, get them
15 out of there. We don't want the enslavement of people.

16 You must use the influence of this Commission to
17 look into those things that are happening there.

18 When those people are used as daily commuters to
19 be slaves for you, no. I say that this country, if they wish
20 to have all of the fruit picked, everybody ought to be a picker,
21 if that is the way it is going to be.

22 I don't find it right, nor will I accept it, that
23 only Mexicans are going to be the ones that are going to har-
24 vest this fruit, and all of the vegetables and everything of
25 our society that we need here in this country or the State

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1 of California.

2 I say that we ought to find other groups to take
3 over. The Mexicans are going into institutions now. We are
4 going to go into the educational fields, and we are going to
5 do it at a rapid pace. We are going to move in there. We are
6 going to stay there. We are going to get away from the fields.

7 We are going to bring Mexicans into the cities, away
8 from the fields, so that then the welfare systems can really
9 feel the bite, and we will get our back rent that you owe us
10 so much, because we have been enslaved in the fields, and we
11 are going to move back into the city, so that Governor Reagan
12 can tremble every night when he sees the Mexicans coming into
13 the urban centers.

14 A VOICE: Right on.

15 (Applause.)

16 MR. TAPIA: If we can address ourselves again to the
17 discrimination that affects us in many ways, and we have bodies
18 such as this -- and it is a sham to the Mexican people. It is
19 a sham to the Mexican people and to the country to have bodies
20 such as this not being given enforcement powers.

21 I appreciate your efforts as individual members of
22 this Commission, but it is not good enough. It is not good
23 enough just for you to come up and investigate and document and
24 come up with nice reports. We know what the facts are, and you
25 know them as well as I do.

1 But we need enforcement powers, so that your Com-
2 mission can get into the real solving of problems, such as
3 the East Los Angeles situation which we have not been able to
4 resolve, but we find Mexicans being killed indiscriminately,
5 and yet we have judges questioning why Mexicans have guns in
6 their guns sometimes.

7 And they say, "What are they trying to do, start a
8 revolution?"

9 No, the people that are causing revolutions are the
10 police chiefs of this country. And I wish to remind you of
11 the things that they are trying to do.

12 When you get a group of police chiefs in the nation,
13 of the nation trying to find ways to control communities, what
14 they mean is that they want to encarcerate groups of people,
15 such as blacks, Chicanos, and such as they did with the
16 Japanese during the World War.

17 I say that this is not going to be tolerated. This
18 time they are going to have masses of people that are going
19 to rebel against that.

20 The Jewish community is now coming up. You have
21 seen the leadership coming up. Now we are determined to
22 fight for our rights, too.

23 We are determined to say to this country that they
24 have been practicing certain things against us that are wrong,
25 and we are going to, unequivocally, stand up and fight against

1 them.

2 I praise those individuals, because they are doing
3 something, because there's so many of those in that faction
4 that remained silent for too long, and in fact, perpetrated
5 some of the very discrimination which affects us.

6 I wish to remind this Commission, this Committee,
7 how they affect us. Those that were in power, those who were
8 in power in the motion picture industry, those who allowed
9 the depicting of Mexicans as being the lazy type of indivi-
10 duals, or depicted them in the stereotype situations where
11 they could never ever go before anyone for employment and be
12 treated as another individual, but yet the things that we have
13 seen as a result of that, the kind of mentality that is used
14 to practice discrimination, it is a sick mentality.

15 I challenge individuals such as Lou Watzerman, who
16 is guilty of it, being one of the leaders of the Democratic
17 Party, being one of those that pays -- one of the highest --
18 into the kitty of Sheriff Pitchess of Los Angeles, and I have
19 those records.

20 And it is questionable of those Democrats and those
21 Republicans, really how much they fight for the rights of
22 people, when you see them being listed as individuals who con-
23 tributed to a man that suppresses a group of people in the
24 very heart of Los Angeles, Sheriff Peter Pitchess.

25 This is very sad, when you think that you have

1 friends in the Democratic Party that really have fortitude,
2 but when you find them as being listed as contributors, you
3 question how much of a friend is he.

4 So then we say back to ourselves, let us organize
5 our community, and there is no substitute. Let no Mexican ever
6 say there's a substitute for organization or that we have
7 individuals that are going to articulate our needs, or that
8 we are going to have individuals who are going to represent us
9 to our interest at every level all of the time.

10 We will always find deficiencies, even in our own.

11 And I question the Democratic Party, when they
12 always address to me, "What are you going to do, put in a Bill
13 Lakosca of Los Angeles?"

14 I say that we are entitled to our bastards. You
15 have many of yours. You take care of your own.

16 (Applause.)

17 MF. TAPIA: I think that we also, because there is
18 a discrimination that takes place in the political process,
19 and how do we get individual members of the Legislature and
20 the parties to address themselves to this?

21 The very thing that the Democratic Party is doing
22 tonight, you will find that they have a fee there for entering
23 or going into the Democratic Party.

24 The people from the Mexican community can't even buy
25 beans for the next day. They are asking them to partake in

1 the Democratic Party, a Convention of the Democratic Party,
2 and they exclude them by using what is really a poll tax.

3 This is what, in fact, the Democratic Party is doing.

4 They are excluding the people that they use and abuse
5 daily in their votes, and they deny them the entrance to the
6 Democratic Party, providing a taxation at the door in order
7 to get in.

8 This we will not tolerate from the Democratic Party.

9 I think the evidence last year -- or the year prior to that,
10 when we had demonstrations against them, and we had the door
11 open for some people to get in, but that is not good enough.
12 It must be a practice of the Democratic Party, if they really
13 want to survive.

14 The Republicans cannot go on untouched. We must
15 challenge the Republicans, also. The Republicans have in their
16 midst also racial bigotry taking place every day. But they are
17 no different. To us there is no difference, and that is why
18 we say to them, they have to open up their arms. Either they
19 do that, or we will be fighting them, likewise, in every dis-
20 trict throughout the State of California, and we have evidence
21 of that in the last election.

22 We have seven, eight or ten Mexicans running state-
23 wide for different offices. That was only the start.

24 Let me remind you now of the 18-year-old Mexican
25 youngster coming up now. You are going to find him in every

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1 district. We are going to put up candidates from the Mexican
2 community at every level, Democrats, Republicans, and every-
3 thing that you like.

4 We are going to have him in there in the La Raza
5 Unida Party to destroy those that don't wish to be part of the
6 system. That is, to help all people.

7 The system, I believe, if I understand it correct,
8 is to help all people, and we just cannot allow it to go on
9 inundating us, really, keeping us in the poverty, keeping us
10 in miserable conditions, and denying us education.

11 I think that one of the things that I would suggest
12 to you as a Committee, that now you really get behind this
13 Committee of providing institutions, educational institutions,
14 such as the one being proposed at UC Davis here for the Mexi-
15 can community.

16 You should enforce that. You should find ways in
17 which to bring resources to that college, so that we will have
18 for the first time in the history of California a college of
19 our own, an institution that our Mexicanos can be proud of,
20 and we will open up campuses in Los Angeles, San Bernardino,
21 Barstow, everywhere.

22 We will have everything taking place that is of an
23 interest to our community, and we will have that educational
24 institution to for once and all rid the bad education systems
25 that we got from the Max Raffertys and the like, that practiced

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1 against our community.

2 And I am lucky to say that we survived that one
3 battle, and we got rid of that individual. I think we should
4 get rid of others similar, like Max Rafferty, because those
5 individuals cause great harm to the Mexican community, espe-
6 cially to that young child who doesn't speak English and tries
7 to come into the school system, and being denied everything
8 merely because he can't speak English.

9 And the hunger that goes on with our kids yet. The
10 people in this Democratic Party haven't addressed themselves
11 to the real things that are needed.

12 Getting to vote is one thing, but what do you do
13 about that youngster, that family that doesn't have food in
14 the morning? What do you do about that person that goes to
15 school, and during the lunch hour he is taken away from the
16 rest of the kids, because he has nothing else to do. What he
17 is trying to do is keep away from looking at the food that
18 other kids are eating.

19 It is a sad situation in the State of California.
20 You are going to have to open up and check every school and
21 see -- it is evidenced here, because I have individuals that
22 came from the various parts of the State. They have shown me
23 facts and figures of school districts where they are now pro-
24 viding some food for them on the basis of community support
25 only, and that is very minimal.

1 What you have to do is insure that the federal gov-
2 ernment, as well as the state, provides the necessary funds
3 to feed our youngsters, and any youngster that is hungry.

4 I don't think we ought to substitute Vietnam, you
5 know, and then deny hunger over here for our youngsters.

6 I say that we ought to feed our own, take care of
7 some of our own people here, and Vietnam we can throw away
8 forever. We don't need it.

9 We need to be insuring every day of the year that
10 our people are well fed, and well educated, and can partake
11 as co-equals.

12 Finally, I think what you have to address yourself
13 to is the political exclusion of Mexicans. How do you exclude
14 them?

15 In the very system that the educational teachers,
16 professors, and so on, promote is the one that keeps the Mexi-
17 can or the youngsters from participating at the legislative
18 end.

19 Do you know that going to the political science
20 classes over there, all they talk about is the Humphreys, the
21 McCarthys, and statistics, but they never teach a Mexican, a
22 black, a poor white what it is that his assemblyman does here
23 in Sacramento. They never allow him to come and lobby. They
24 never allow him to come into the committees.

25 They never do anything to promote this kind of

24 1 political awareness through the college system.

2 The affluent, they get a chance to come here. They
3 have all kinds of trips. The Mexican kids, they don't have
4 that, that opportunity.

5 You must insure that the educational system, when
6 they teach political science, that they make them so realistic
7 and so practicable that they inform them what it is to work
8 in a campaign, being involved in political campaigns as being
9 part of the curriculum, getting them in there to learn how
10 to set up precinct operations in their very districts.

11 Letting them know once and for all that they are a
12 part of the system and that they must do certain things, but
13 do it only if they are allowed, but they don't allow it.

14 I think funds ought to be provided out of the State
15 of California through the educational system to have a lobby-
16 ing house here in Sacramento for the Mexican people.

17 I think the Democratic Party would get an A plus,
18 if they provided such a vehicle for the Mexican community.
19 For we will have our own, we will take care of our own des-
20 tiny. We will have our own lobbies, and those assemblymen
21 and those senators, every time that the bill is voted, every
22 time it comes either for or against, we will have Mexican
23 people here testifying in support or against the bill.

24 This would be an insurance factor. In lieu of repre-
25 sentation, we will be able to call people here at any given

1 moment's notice, when we see that our interests are not being
2 met by the State of California.

3 I think this is a suggestion that the Democratic
4 Party can undertake in total consideration with the Republican
5 Party. They must get away from dividing our community on the
6 basis of parties.

7 It is they who have the problems, not us. We are
8 organized, and we are going to continue to maintain that sem-
9 blance of unity all of the way through, so that we can once
10 and for all say that we are tired of the discrimination that
11 is taking place from the party standpoint. The two-party sys-
12 tem has failed the Mexican. We don't need it. We don't want
13 it. We are going to have our own party.

14 We are saying to you that you can't have your party,
15 you know, and eat your cake, too. You are not going to do
16 that, because we are going to want part of the action.

17 And one of the final things that I guess I must say,
18 we don't want all of California back, at least not all at once.
19 We want a little bit at a time.

20 Thank you.

21 (Applause.)

22 CHAIRMAN SILLAS: Mr. Tapia, I would like for the
23 record to acknowledge Mr. Alfred Montgomery from San Diego now
24 joining the Committee up here.

25 Are there any questions from the Committee?

1 Mr. Gabourie?

2 MR. GABOURIE: Yes, sir.

3 It appears that the problem at hand is reapportion-
4 ment of the State.

5 Do you have any particular suggestions as to protect
6 the Mexican-American community in the heavily populated areas
7 like Los Angeles in that respect?

8 MR. TAPIA: Yes, I have here, and I will provide
9 this information for the hearing.

10 In the districts of Los Angeles, particularly in the
11 East side component there of the County, we have districts --
12 and the entire area is divided into parts of the 40th, 45th,
13 the 48th, the 50th, the 51st, the 52nd, 53rd, 56th and 66th
14 Assembly district.

15 This should be redrawn into four complete districts.
16 I don't have a map with me.

17 Again, I will repeat the districts. I don't know if
18 you can see them there. Probably you can. The 40th, the 45th,
19 the 48th, the 50th, the 51st, the 52nd, the 53rd, the 56th,
20 and 66th, which is about eight districts there.

21 This should be redrawn into four complete districts,
22 assembly districts. They can. We have the school statistics.
23 The articulation is there. We have it all drawn up.

24 There are statistics to provide this Committee with
25 as well as those that are empowered. We have the statistics

1 to change the districts.

2 It also has the following State Senate districts,
3 or parts of, the 19th, the 27th, the 28th, the 29th, the 30th,
4 the 35th and 37th.

5 These should be redrawn into two complete State
6 Senate districts.

7 And the following parts of the Congressional dis-
8 tricts: the 19th, the 21st, the 23rd, the 25th, the 29th, the
9 30th and 35th.

10 These should be redrawn into one complete Congres-
11 sional district for the Mexican community.

12 The portions of the City of Los Angeles, inside the
13 city limits of Los Angeles, even though the Legislature
14 doesn't have any responsibility over that one particular issue,
15 that the City will take care of itself, but we should -- it
16 should be divided, you know, from the 9th, 13th and 14th coun-
17 cilmatic districts, it should be redrawn into one big council-
18 matic district, and you could very well do that to those dis-
19 tricts by the numbers that we represent there.

20 We do have now court suits in there, trying to
21 determine whether in fact we will get an opportunity within
22 the City of Los Angeles. I believe if we are successful in
23 the court action, of which I hope you will take affirmative
24 action as a Commission by working with the judges and insur-
25 ing that they understand the problems of what is happening

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1 there in the denial of a representation of the City of Los
2 Angeles, which then can be transformed into the Legislature,
3 Assembly and the Senate, maybe by providing an impetus situa-
4 tion, then the Assembly can be sensitized to the degree -- and
5 rather than having Mr. Waxman come up here and say, "I don't
6 think I can, you know, redraw the district, because only the
7 Mexicans want it, because it is not right; the law does not
8 say that we should redistrict it on the basis of ethnic groups."

9 Well, let's say this, that if he chooses to take that
10 route, then Waxman, as well as other individuals that choose
11 that route, will face many Mexican candidates in the next elec-
12 tion, and that's in 1972, so they had better get prepared for
13 that little war that I said.

14 We are engaging into a war. If we lose the battle,
15 we will continue.

16 MR. GABOURIE: Is your recommendation based on the
17 population concentration or registered voter concentration?

7
18 MR. TAPIA: Well, they don't have it -- the reappor-
19 tionment doesn't count it on the basis of registered voters.
20 It counts it --

21 Well, even knowing that, you know, the census denied
22 us the right of count. Every other group, the Indian group,
23 the black group, the Hawaiian group, everyone else got counted
24 except Mexican-Americans. That's racial discrimination.

25 We know that there's so obvious of an attempt, an

1 attempt to keep us out of the real numbers that we are really
2 representing, you have got to remember, in particular the East
3 side of Los Angeles, when you count an individual who is, by
4 postcard sent a card -- and really this is what you do -- you
5 fill out the sides, both sides on it.

6 But there is also three or four hundred thousand
7 alien residents that are there not counted. There's also, in
8 addition to that, possibly more than that, the "illegals", as
9 they are called, and they are not here illegally. Those people
10 are there, and they pay taxes. They go to school, they go to
11 church, they do everything, but yet they are denied the right
12 to participate within this whole framework of redistricting,
13 because there is still this discrimination that takes place.

14 We suggest that they not redistrict it now, until we
15 get a full count. We would like to insure, first of all, that
16 we are treated as co-equals with every other group, and then
17 the Assembly can take proper action to redistrict.

18 We are moving ahead to try to challenge in the
19 courts the redistricting that is now being promoted, or as is
20 being promoted by this Legislature. It is unfair and biased.

21 MR. GABOURIE: Then would it be your suggestion to
22 have an Advisory Committee made up of Mexican-American people
23 throughout the United States -- excuse me -- throughout the
24 Mexican-American populations of the State of California to
25 assist in the reapportionment?

1 MR. TAPIA: Definitely. That would be one of the --

2 A VOICE: Chosen by us, not by the big men.

3 MR. TAPIA: One of the things that would be in order
4 is to create those task forces, certainly, but another import-
5 ant thing is to get our census, be sure that we get a fair
6 census of all of our people.

7 That redistricting, if they want to do it on the
8 one man vote, fine, but let us not make it with three, four
9 or five hundred thousand being denied, you know, and the right
10 to be counted for the redistricting purposes.

11 We want to get a count of our own, and we will do
12 it. You provide the vehicle with which to do it. You insure
13 that the Legislature finds the funds that are necessary to
14 take a count in every district, every area that we reside in,
15 to be sure that the Mexican count is properly done in the
16 State of California.

17 I think they owe this obligation to the Mexican-Ameri-
18 can community, first of all.

19 MR. GABOURIE: Thank you.

20 CHAIRMAN SILLAS: Father Casso.

21 REV. CASSO: I pass.

22 MR. GLICK: No. questions.

23 CHAIRMAN SILLAS: Mrs. Kuchman?

24 MRS. KUCHMAN: Yes. I think the solution is a very
25 good one, that since the census failed to give us the figures

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1 that are necessary to do the right kind of a job, and redis-
2 trict, that a specific request should be made, because reappor-
3 tionment is going to be carried on now in California -- that a
4 specific request go to the Legislature from our group asking
5 that funds be given, and a vehicle established to determine
6 those numbers correctly.

7 (Applause.)

8 CHAIRMAN SILLAS: That will be one of our recommen-
9 dations to the Legislature, I assume.

10 (Applause.)

11 CHAIRMAN SILLAS: Mr. King?

12 MR. KING: I think it has been covered.

13 CHAIRMAN SILLAS: All right.

14 A VOICE: Mr. Chairman, may I ask a question?

15 (Whereupon, a gentleman from the audience asked if
16 Mr. Tapia's Spanish remarks had been recorded.)

17 CHAIRMAN SILLAS: We have Mr. Tapia's words taped.

18 A VOICE: In Espanol?

19 CHAIRMAN SILLAS. In Espanol.

20 A VOICE: (The remarks directed to Chairman Sillas
21 were in Spanish.)

22 MR. KING: Thank you, Mr. Tapia, for your presenta-
23 tion.

24 (Applause.)

25 MR. KING: We have another speaker, and I know your

1 enthusiasm.

2 MR. CORONA: Mr. Chairman, and members of the Advis-
3 ory Committee, I know that some of us out here are not totally
4 aware that it is a limited function group, but nevertheless,
5 you have tried to at least provide a forum whereby some of
6 these thoughts and feelings can be expressed, and I think that
7 you should be commended for doing so, particularly in the tim-
8 ing and the delicate nature of this situation, which is keyed
9 to the fight of the Chicano people for political representa-
10 tion.

11 I know that I have one half an hour; however, we
12 have a joint presentation which will be taken within that time.
13 We are not going to stretch it beyond that. In fact, it will
14 probably be shorter, since Mr. Tapia covered so eloquently our
15 feelings.

16 So I would like first to introduce Miss Angelica
17 Lozano, a member of the Lobbying Chicano Task Force, who will
18 make a few remarks.

19 (Applause.)

20 MISS LOZANO: I would just like to recite a poem.

21 CHAIRMAN SILLAS: Excuse me. Please give your name
22 for the record, and where you are from.

23 MISS LOZANO: Angelica Lozano, East Los Angeles.

24 I would just like to recite this poem, and I think
25 it says enough. It will explain itself.

1 "Until yesterday you called me a good Chicano:

2 I was meek, humble, goddam ignorant.

3 I was young, passive, another pawn in the game
4 that you played.

5 I bent my knee, smiled, echoed. My country,
6 right or wrong.

7 I squatted, listened as the bastard beagle
8 preached.

9 Come now, let us reason together. I drank the
10 blood of Christ, yet banditos bled me dry.

11 I was a good American. I licked the hand that
12 fed me crumbs.

13 Until yesterday you called me a good Chicano.

14 Now the years have fled. I am back. You crawl
15 behind a skirt. I spit my dreams upon you,
16 deny your worms, seek a coward's grave.

17 I stand before you, humbly. I am a writer, a
18 poet, a human born again who has learned to
19 stand up, bear the burden of her people on her
20 back. I no longer dead; I alive. My heart cries
21 to my people. Numerous, united, we shall be but
22 one voice for our great people."

23 (Whereupon, a portion of the poem was spoken in

24 Spanish.)

25 MISS LOZANO: "See my people rising? My peasant

1 blood sings with pride. See my people refuse to
2 bend? Prostitutes for Anglo dogs. See a multi-
3 tude of clenched fists casting off shadows of
4 death.

5 See brothers hand in hand marching strong for the
6 sun. Tender the flame of justice. Forge the swords
7 of tomorrow.

8 See, feel silver raindrops run down my cheeks of
9 brown.

10 Until yesterday you called me a good Chicano. Today
11 you refer to ours as bad Chicano. You label me a
12 disgrace because I dare to speak of truth, because
13 I dare not be silent. Because I seek to change the
14 image you have built of me. Because I desire not
15 to live or end my life in internal siesta, you point
16 to me as militant, because I will not crawl. Because
17 I have learned to walk. Because I speak to it with
18 being the hell of being the system's dog, patted on
19 the head, 'Nice girl, Angelita', while the finger is
20 being jammed up my ass because I desire to be myself.
21 Listen. Listen. There is a message in the wind, as
22 the people cry against the reigns of injustice. Each
23 day new voices join together to take lead in a common
24 cause."

25 (Whereupon, a portion of the poem was spoken in

1 Spanish.)

2 (Applause.)

3 MR. CORONA: It is pretty hard to present testimony
4 after that.

5 CHAIRMAN SILLAS: Yes, it is.

6 MR. CORONA: But we have a task force here of 102
7 students, instructors and community people from colleges
8 throughout Southern California and from a large body of organi-
9 zations which has been participating in these hearings and
10 trying to convey our message to the various legislative com-
11 mittees and individual legislators.

12 I am not going to read the list. I am just going
13 to put it as part of the record.

14 CHAIRMAN SILLAS: Thank you.

15 MR. CORONA: Our next presentation will be made by
16 Carlos Penichet, who will speak on one of the aspects of deal-
17 ing with the political parties.

18 MR. PENICHET: I think that, as many of us have
19 wandered through --

20 CHAIRMAN SILLAS: Excuse me. Could you state your
21 name for the record, and indicate your occupation, please?

22 MR. PENICHET: Carlos Penichet, and I am a teacher.

23 CHAIRMAN SILLAS: Thank you.

24 MR. PENICHET: As we have wandered through the halls
25 of the Legislature here, and met with a number of the

1 representatives, I think all of us have an increasing impres-
2 sion that very little is going to be done about racial gerry-
3 mandering to the Chicano communities in this Legislature.

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

8 There seems to be sort of an unwritten understand-
9 ing that people do not mess with each other's districts, that
10 they have a deference and respect for each other.

11 And also, when we talk to a lot of the legislators,
12 they only speak to us in terms of their own districts, on how
13 their position is going to be approached when reapportionment
14 comes around.

15 So I think it is becoming clear, at least to me,
16 anyway, that we really are not going to hope for much change
17 from the Legislature when the bill goes before the Governor
18 next year.

19 The question then is do we have any other alterna-
20 tives?

21 I think some of the alternatives have been mentioned
22 to the Commission by other people, such as the La Raza Unida
23 Party. But we still have the fundamental issue that we shall
24 not have a substantial majority in any one district to be able
25 to elect a representative.

1 Now, we will be in a better negotiating position if
2 we can coordinate the Chicano vote and deliver it to those
3 people who are going to be truly representative of the inter-
4 ests of the Chicano community.

5 So the other alternative that exists, if reapportionment
6 cannot be dealt with adequately here, is to go to the
7 courts. And I think that what I would like to do is very
8 briefly mention to you some of the alternatives in terms of
9 this issue of one man-one vote.

10 The way it exists now, the Legislature has to con-
11 sider the one man-one vote as the prime consideration, and it
12 appears that that is all they are going to consider, in addi-
13 tion to maintaining our -- or improving the districts of the
14 incumbents of the party in control.

15 But when you look at the one man-one vote, and you
16 put it up as a supreme consideration, you can't help but come
17 to the realization that if that is going to be the only guide-
18 line, it is nothing but a sham.

19 The intent of the decision was to bring about the
20 most equitable and democratic representation possible, but it
21 cannot be done simply under one man-one vote.

22 Hypothetically, any social, economic, or ethnic group
23 could be gerrymandered in such a way to undercut his represen-
24 tation.

25 For example, it would be very easy to gerrymander all

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1 of the rural areas so that 40 per cent of the population is
2 rural, and 60 per cent of the population in each district
3 would be urban; therefore the spokesman for that district
4 would be an urban person, and it could be effective enough in
5 some of these states, so that the rural communities would have
6 no representation whatsoever.

7 Well, such has been the case with the minority com-
8 munities, and such has been the case with the Chicano commu-
9 nity, where the districts have been racially gerrymandered in
10 such a way that, as you all know, and has been very well docu-
11 mented, we have almost no representation at all, no real repre-
12 sentation.

13 So then the issue is what alternative do we have?

14 I think the first thing that this Commission should
15 consider is setting up some guidelines in addition to the one
16 man-one vote.

17 There's some precedent in this area. For example,
18 the CDC, the California Council for Democratic -- California
19 Democratic Council, has taken on this whole issue of other
20 guidelines in a little publication that they put out called the
21 Democratic Crisis, and it is also a warning to the Democratic
22 Party that they are alienating themselves from large percent-
23 ages of population.

24 Now, in this publication that was published, inci-
25 dentally, back in 1965 to deal with the reapportionment of

1 the Senate, they gave 10 other criteria that should be care-
2 fully considered when reapportioning.

3 The first one was a strict adherence to the one man-
4 one vote. The next three deal with information to do the
5 reapportionment, which was, according to them, through census
6 material at that time.

7 Now, the fourth one has to do with compactness,
8 that the districts should be as compact as possible.

9 And the fifth one, and as far as I am concerned,
10 this should be the second one in priority, is communities of
11 interest, political, social, economical, and historical.

12 This should be respected to the degree practicable
13 in determining districts by minimizing the joining of com-
14 pletely dissimilar or antagonistic communities.

15 Now, this has not been done in East Los Angeles, and
16 this has never been a question of priority in determining
17 reapportionment.

18 In addition to that, and I am going to leave this
19 for the record, there was a brief prepared by the California
20 Democratic Council. It was presented to the United States
21 Supreme Court of the State of California in 1965, and in here
22 they give quite a detailed explanation of some of these prin-
23 ciples that they have expanded in the ten points.

24 I think that these guidelines need to be established,
25 and I think that they need to be established within the

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1 Legislature, because if not, we are going to find a repetition
2 of the same sort of thing.

3 All right. Now, what if they are not? What if no
4 other consideration is important or significant in determining
5 reapportionment except the one man-one vote and the protection
6 of incumbent Democrats?

7 Then I think we do have some opportunity of challeng-
8 ing the whole issue of reapportionment before the courts.

9 And I tried to do some research in this field, and
10 unfortunately, this whole area has gone pretty much untested.

11 The Supreme Court passed on Gomillion vs. Lightfoot,
12 which was a denial of the 14th Amendment. There are some
13 parallels to what goes on in East Los Angeles in Gomillion vs.
14 Lightfoot, but it is not really the same situation. There are
15 some differences, and that is where you have people excluded
16 from a city.

17 They were gerrymandered -- all of the blacks were
18 gerrymandered out of a city that was square before, and the
19 new city had 28 sides, precisely, because they were constitut-
20 ing a majority, and they were going to be able to represent
21 representatives.

22 So the Supreme Court said that that was illegal under
23 the 14th Amendment. But it isn't quite the same situation.

24 But I think -- and I have talked to a number of law-
25 yers, including a lawyer who has been working extremely hard

1 on this issue of reapportionment, by the name of Gerald Hill.
2 He worked very hard in 1965 and '66.

3 And he said that a very good case could be fought
4 in courts to deal with this issue of racial gerrymandering
5 against the 14th Amendment of equal protection of the law.

6 He said, and if the Legislature is not going to do
7 it, the courts are going to have to take this issue on,
8 because otherwise the whole thrust of the "one man - one vote"
9 is totally meaningless and diluted, if that is the only con-
10 sideration.

11 So I think that the community, the Chicano commu-
12 nity is going to move very hard in this direction. There are
13 some areas in the East Los Angeles part of L. A. where citi-
14 zens are already beginning to sign petitions, to request that
15 they not be represented by their representative, because they
16 don't feel they are being adequately represented, and they
17 are going to petition to be moved into other districts where
18 they feel -- other contiguous districts to their lines, where
19 they feel they will be represented more adequately.

20 This is another way of going at it. And I think this
21 whole issue is going to have to be fought in the courts after
22 the bill is signed by the Governor.

23 But I do think that the Commission here should draw
24 up some of these guidelines and present them to the Legisla-
25 ture, in terms of other considerations in the area of

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1 reapportionment.

2 This is all that I want to say. Thank you.

3 MR. CORONA: Thank you, Carlos.

4 The presentation that I was supposed to concentrate
5 on deals with the policies and practices of two political par-
6 ties in terms of the granting of a potential for getting effec-
7 tive representation by our Chicano community in the State of
8 California.

9 And I would like to just point out that both parties
10 have been guilty of using the Spanish-speaking and Chicano
11 vote for their imperative of control of the legislation -- of
12 the Legislature, and of control through incumbents whose alle-
13 giance is not owed or accountability is not owed to the Chi-
14 cano community, and thus we have the gerrymandering which is
15 taking place.

16 Both parties are guilty of this. And let me say
17 this: both parties ultimately have shown that they represent
18 big money interests. Let us not forget this very, very basic
19 situation, that when it comes down to who they really represent,
20 both parties, including the Democratic Party, have been greatly
21 influenced by oil money, by finance -- savings and loan money,
22 by big builders, and so forth.

23 Those are the people who have called the tune. We
24 have a three-sided, or three-pronged approach by the organized
25 Democratic Party and its representatives in the Legislature,

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1 and outside. It represents three attitudes.

2 We have the Big Daddy Unruh approach, you know, that
3 we don't count. Big Daddy Unruh, through the lobbying process,
4 you know, could always collect enough money and that he could
5 do anything he wanted, you know, to elect whomever he had
6 picked without taking into consideration the feelings or deter-
7 mination of the Chicanos, or any other group, and so that we
8 have those kinds of politicians of the Democratic Party, and
9 he trained many seals to follow him, and they are in this very
10 Legislature here.

11 They really speak sort of a mumbo-jumbo about liberal-
12 ism and so forth, but basically they are cynical. They are
13 cynical in their dealings with our needs and aspirations.

14 Then we have another approach. We have the approach
15 of the liberal, the so-called liberal, who feels, you know,
16 for us. When we are meeting together, you know, he cries tears
17 that are longer and louder than either of ours, you know. We
18 have this.

19 We had the very sample yesterday of the new leader
20 of the old left and liberal position that used to be. New left
21 now, and I guess of the old right.

22 We met with the gentleman, He is going to be in
23 charge of the Committee to do the reapportionment, and when we,
24 the group of us that stood before him in his room, you know,
25 he sung our song, but it was an entirely different story when

1 he came up here with the -- to the nitty-gritty.

2 We have many like him. And on his Committee we are
3 going to have Fenton, Roberty, Carabion, and Charlie Warren.
4 If you look at the districts where we gerrymandered, these are
5 the four wolves. So they are sending the wolves to take care
6 of us, the sheep.

7 (Applause.)

8 MR. CORONA: So what we have is that those who get
9 into control, in the Waxman tradition of the Democratic Party,
10 and, you know, this is the thing that I think Mr. Tapia tried
11 to include in the members of your Commission, that they would
12 sympathize, but ultimately -- ultimately they will vote for
13 their imperative, to keep their incumbency and their control
14 and their power.

15 We have the case -- and even in the face of some of
16 the aspirations that have been expressed from the deep prob-
17 lems that we have, we have a very severe problem of welfare
18 today in this State, and the use of racism into the welfare
19 practices is becoming more and more intense and used on a day-
20 to-day basis.

21 We have Assemblyman Warren of the 56th District,
22 who has dared to introduce in the face of all of this, all of
23 the deep problems that we are facing, AB 48.

24 AB 48 is a bill that he has introduced into this
25 new legislation, and I will read it to you.

1 "The People of the State of California to enact as
2 follows:

3 Section I. 10,000 is to be added to the Welfare and
4 Institutions Code to read:

5 'No public social services shall be granted under
6 this division to any alien who enters or remains in the United
7 States in violation of a federal immigration law."

8 Mind you -- after Mr. Tapia, I think, has outlined
9 that these people are brought in here out of their poverty in
10 Mexico created by the same corporations, created by the Bank
11 of America operating in Mexico, created by the American agri-
12 cultural divisions that now control every single producing
13 plant in Mexico, created by the same monopoly combines in min-
14 ing, railroading, and you name it, they are operating in Mexico.

15 They manipulate the economy in Mexico, and they
16 manipulate the economy in the Southwest, and so these people
17 come over out of these situations, and the only crime they have
18 committed, you know, is that they are willing to work, and
19 must work for lower wages, poorer conditions, with no right to
20 any of the other benefits that American workers have.

21 So these people are now to be denied the rights of
22 welfare by a law. This is one of the gentlemen that sits in
23 a top policy position in the Democratic Party. I wanted to
24 get this in, because I think it is very shocking.

25 All right. Then we have the third approach to us,

-16

1 the one that is represented by a gentleman by the name of
2 George Brown, you see, that feels -- and this is enjoyed also
3 by Fenton, Roberty, Carabion and Warren and the like. They
4 feel that God, God or somebody, has chosen them because of
5 their unique quality and they are most able or better able to
6 represent these poor brown people, you see, because they are
7 just not able to put themselves together.

8 It seems that they are not as refined, they are not
9 as articulate. They don't have the research and so forth. And
10 more than that, they cannot go out and get support of the
11 Anglo white liberals that might also be inclined to vote for
12 a good candidate.

13 These are the guys that always pick the question of
14 qualification. Now, Congressman Brown is going to be Chairman
15 of the Democratic Party tomorrow. For what intent? So that
16 he can get back into our districts, crawl in backwards, you
17 see. He wants to crawl in, you see.

18 A VOICE: Right on.

19 MR. CORONA: All right.

20 So we say a plague on both of the houses. This is a
21 thing from John L. Lewis. A plague on both of these parties'
22 houses, because they don't represent us. They are not beholden
23 to us, and we can never draw them to account to our needs, so
24 what is our alternative?

25 I will tell you what the Chicano alternative is, to

1 defeat the Democrats, because they are the ones in power, and
2 we have got to spell it out.

3 We are defeating them by the following strategy.
4 We are building the La Raza Unida Party, so it will be a
5 vehicle through which in the November finals and these biennial
6 elections we can have a Chicano to which our vote can be
7 pledged, and so that we will not be victimized from the posi-
8 tion that we must vote for the Fentons, and so forth, because
9 they are the lesser of two evils.

10 We have already mentioned the suits. You know, there
11 are two suits that might be very, very close to what we are
12 talking about here: the one in Indiana and the one in Texas.

13 But we are not depending on just these two vehicles.
14 We are going to embark upon a broad community organization
15 to activate and educate our people through the only way that
16 we know, and that is reaching them door-to-door, house meet-
17 ings, and through the use of the traditional (Whereupon, the
18 remainder of the sentence was spoken in Spanish).

19 We are going to do it all year long. We are going
20 to be talking about this until we get representation.

21 I would like to leave you with a few recommendations.
22 First, that this Commission Committee urge the Legislature to
23 do the following:

24 First, to redo the system. That is a must.

25 And second, that it recommend to Los Angeles City,

18
1 the City Council, that it reconstitute a City Councilmatic
2 district that is 50 per cent or more Spanish-speaking, and
3 it is possible. I think this has been proven.

4 And another recommendation is to the L. A. County
5 Board of Supervisors, and that is that it put all of East Los
6 Angeles into one district, and that is possible.

7 The rest of the recommendations I think have been
8 raised here already, and these are primarily to the legisla-
9 tive committees, that we can get four assembly districts with
10 a 45 to 55 per cent Spanish-surname population, and one, pos-
11 sibly, between 35 and 40 per cent.

12 That of the four assembly districts we could have
13 two State Senate districts that would contain from 45 to 55
14 per cent Spanish-surname population.

15 And one, possible, with 30 to 45 per cent. And over
16 this that we have two Congressional districts with at least
17 45 to 55 per cent population, and one other with 30 to 45 per
18 cent.

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

24 In Fresno in Madera County, we could do the same
25 thing. We could come up with a bigger participation of

1 Mexicans in one district.

2 In the Imperial and Eastern Riverside County districts
3 the Spanish population could be put together in such a way
4 that they could also have a better chance of representation
5 out of that district.

6 I think that these are some of the things that can
7 be done, and in order to conclude our presentation I would
8 like to ask the Father who is here with our delegation to give
9 us a good send-off.

10 REV. CARIO: My name is Father Cario. I am a Chicano
11 Studies instructor at Whittier College.

12 I will keep my remarks very, very short. We have
13 heard a lot of rhetoric from the politicians for years, and
14 now maybe you will hear some Chicano rhetoric.

15 But let's cut away from the rhetoric, and let us go
16 back to the nature and the history of this Legislature right
17 here in Sacramento.

18 Let us go back to 1848. We know that this was the
19 Legislature that made us sue to keep our own lands.

20 We know the history of this Legislature, that this
21 Legislature passed laws to keep, as they said, greasers out of
22 the gold diggings.

23 We know these things. We know the history of this
24 Legislature in Sacramento that passed the Exclusion Law for
25 the Orientals.

20 1 We know the history of this Legislature that perpe-
2 trated the Japanese and Germans.

3 We know the history of this Legislature that caused
4 the economic atrocity of the farm workers in the -- we know
5 these histories.

6 We know the history of this Legislature that has
7 givenus educational crumbs, and had us fight for the bone
8 between the black and the brown community.

9 We know the history of this Legislature that has
10 perpetrated in the State of California a system of educational
11 abortion for our people.

12 We know these things. You are not any longer deal-
13 ing with dumb Mexicans. We have politicians who are politi-
14 cally aware, as you have been hearing.

15 We have Chicano educators who are telling our youth
16 the truth about the history of this Legislature.

17 We will have, and I will say that we have Chicano
18 priests that are no longer going to mouth the theology of the
19 Irish bishops that tell our people --

20 (Applause.)

21 REV. CARIO: We have already gone through our cruci-
22 fixion. It is time for resurrection, and we are going to --

23 (Applause.)

24 REV. CARIO: We have lawyers, as you have heard, th
25 are going to take this on a Civil Rights level, but more

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1 importantly, we wish that you will take to the Legislature
2 that our biggest resource and our greatest resource are our
3 youth who are here, who are sophisticated youth, who know the
4 truth, who know the history of this Legislature.

5 And you no longer have the luxury of being judged
6 by history a generation later. This Legislature is going to
7 be judged today by these youths who know what is going on,
8 and I assure you that they will act on the judgments of this
9 Legislature.

10 We want peace. We want justice. And don't make us
11 make the choice of justice.

12 (Applause.)

13 CHAIRMAN SILLAS: At this time I will recess our
14 session until 1:30.

15 We have, I think, a good schedule of witnesses for
16 this afternoon.

17 (Whereupon, the Committee meeting recessed at
18 12:45 o'clock p.m., to reconvene at 1:30 o'clock p.m.,
19 the same day.)
20
21
22
23
24
25

AFTERNOON SESSION

1:30 p.m.

1
2 MR. REINHARDT: May we come to order, please.

3 The afternoon session of the California State Ad-
4 visory Committee to the United States Commission on Civil
5 Rights is now in session.

6 As our first witness we are delighted to have the
7 Senator from San Francisco, the Majority Leader of the Demo-
8 cratic Party in the State Senate of California, Co-Chairman
9 of the California Commission on Democratic Party Reform.

10 We welcome Senator George R. Mascone.

11 SENATOR MASCONI: Thank you very much.

12 Distinguished members of the Committee, distinguished
13 colleagues, and friends:

14 I am grateful to be allowed to state my views and
15 hopefully they are the views of the overwhelming majority
16 of the Democratic Party today.

17 I appear today as a member of the Democratic Party;
18 more specifically as Co-Chairman of the California Commission
19 on Democratic Party Reform. The Commission, as you might
20 know, received a mandate more than a year ago to "change the
21 California Democratic Party from top to bottom, if necessary,
22 to make it a more effective representative of the people."

23 I think it most significant that the Democratic Party
24 alone among the major political parties of the state has unde-
25 taken the challenge of opening the political process.

2
1 I find it significant, too, that the leadership
2 of the Democratic Party alone recognizes that the political
3 power structure of this state is heavily weighted in favor
4 of the rich and the powerful.

5 For too long the way has been substantially blocked
6 for members of minority races to enter the mainstream of
7 political power and public office. Under-representation of
8 Brown, Black, and Yellow peoples in city, county, state and
9 national office underscores this point. This is also true
10 for both women and the young.

11 California's traditional stance of non-partisanship
12 and a tacitly-approved weak political party structure has
13 only tended to maintain the status quo and the evils of
14 political segregation.

15 The Commission, and those who are concerned with
16 true and effective political representation, has found that
17 the weakness of party structure, where support for and loyalty
18 to ideals and issues is largely rhetorical and ephemeral in-
19 stead of mandated by law, is little better than no party
20 structure at all.

21 It is true that before we can reform a party, it is
22 first necessary to create one. That, in effect, is what has
23 been taking place. Our party, through its reforms, is making
24 it mandatory that minorities, minorities of race, age, sex
25 and culture, have a true opportunity to be effectively in the

centers of power.

Political democracy will only be effective, in our opinion, when we have an actual cross-section of society working within a strong party structure, a party that means something, a relevant party, geared to the people.

We hope to convince minority voters that they do have the opportunity to be effective members of the political process. The best interests of the Chicano and Latino community, for example, will truly be served when they are represented by members of their own culture in the state and federal legislatures.

This can only take place, realistically, if all citizens work through a strong and effective political party.

Let me give you a few specific examples of our party's proposed reforms. You will note how we are effectively opening up a process that has been historically and traditionally closed.

First, dealing with the Presidential Primary Process and Delegate Selection, we have recommend "that system of delegate selection which allows for maximum popular participation, a statewide primary election" which "places on the ballot all nationally recognized presidential candidates".

We recommend that the winning candidate select the entire delegation on a winner-take-all basis after, not before the primary.

4 All of the above are designed to open up the process.

And now to our recommendations to make the delegation itself more representative of the Democratic Party in California.

We believe:

(a) "The delegates should be selected by the people whom they are to represent."

(b) "The primary winner should consider four factors in delegate selection, namely (1) residency distribution, (2) racial or ethnic balance, (3) age, and (4) sex."

We pointed out in the report that approximately 11.1 per cent of the total California population are Spanish surname; another 8.2 per cent are Black, and 2.3 per cent Oriental and Native American.

We therefore recommended that 20 per cent of the delegates and 20 per cent of the alternates be from the above four racial and ethnic categories.

Second, we dealt with Voter Registration and Voting Procedure.

In order to encourage wider voter participation among low-income groups, we have urged:

(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/literacy requirements; and for that matter, I'm sure in every one of the 50 states this and other matters are designed to open up rather than to keep closed the process, and, I think, that is equally critical to the fact it be abolished by law because people are inclined to believe what is on the statute books, and, lastly;

(e) Generally adopt procedures to increase the numbers of Deputy Registrars available and simplify registration procedures, not to make more complex, but less complex 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. I am sure you won't be distressed if I tell you to read the rest of it if you have time. Read on over to Page 7 starting with "At each level."

At each level of representation, area, district and state, we have built in a commitment that the delegation will approximate the ethnic, age and sex characteristics of the Democratic voters in the area, district or state.

And finally in the area of Citizen and Group Participation, we have recommended:

"The Democratic Party should sympathetically examine the demands of Blacks and Chicanos for greater community con-

1 trol over or influence upon such intimate governmental func-
2 tions as police, schools, recreation, and zoning. It should
3 support measures designed to decentralize functions of the
4 state, counties, and municipalities down to the neighborhood
5 and communities."

6 And finally, let me quote from the Commission's re-
7 port which gets to the heart of what you are discussing to-
8 day:

9 "Electoral politics are not the only legitimate form
10 of politics in American society. People who work in the Party
11 tend to forget that fact and that is a major reason why par-
12 ties flounder and wither between elections. To be political
13 is to be involved in the public's concerns. These concerns
14 are myriad and constant. This is notably so today and in the
15 foreseeable future during which time our politics will con-
16 tinue to be dominated by what have come to be called the
17 "quality of life" issues. There is a struggle for justice
18 for the racial and national minorities for women, for youths,
19 and for old people. There is a struggle against rigidity
20 and plain stupidity in the educational bureaucracy as well
21 as in other public bureaucracies. Let the Democratic Party
22 become the people's ombudsman. All of this means petitions
23 to and pressures upon public bodies all the way down to school
24 districts and municipal or county departments. There are
25 referenda to be demanded, initiatives to be generated, meet-

1 ings and rallies and marches to be organized. There is
2 brutal, insensitive, and irresponsible treatment of citizens
3 by public officials and bodies to be countered. When public
4 officials and bodies persist in such behavior, they must be
5 confronted, and we must not shy away from this. These forms
6 of activity are citizen politics.

7 "It is unthinkable that the Democratic Party might
8 be aloof from citizen politics. Indeed, the Democratic Party
9 should be playing a leading role in citizen politics."

10 I hope I have made it clear over the years I am in
11 complete accord with the aspirations of the under-represented
12 people of this state and this nation. I hope this Commission
13 will call upon me for any cooperation and assistance I can
14 provide.

15 I want to thank you very much.

16 MR. REINHARDT: Thank you.

17 Before turning to questions, Senator, I would wonder
18 if you can clarify one point. Is it correct that in the por-
19 tion relating to the Presidential Delegation that the report
20 establishes the 20 per cent figure for minority representation
21 merely as a minimum standard that must be met in order to com-
22 ply with the party's guidelines, but that is not a quota and
23 we encourage even greater participation?

24 SENATOR MASCONI: That is correct. As a matter of
25 statutory interpretation at least I and others try to get

1 away from figures because the Legislature and the legislative
2 bodies have a tendency to regard that as the maximum. We
3 thought it more advantageous, however, than some vague and
4 rambling statement that could be regarded as political rhetoric.
5 So if there is any question about that, we would amend it to
6 make it clear that that is a minimum requirement in order to
7 coordinate with the purposes of the entire Commission.

8 MR. REINHARDT: And candidates are encouraged to ap-
9 point even a higher percentage?

10 SENATOR MASCONI: That is correct.

11 May I add one more thing. I know you know it now,
12 but I think it has to be underscored. This is not a speech
13 I have given to you. You will note I am quoting from an of-
14 ficial document or at least a document which hopefully will
15 become an official document of the Democratic Party over this
16 hectic weekend.

17 MR. REINHARDT: Thank you, Senator.

18 MR. MONTGOMERY: We have heard these expressions to-
19 day about the new political awareness of the Chicano group. I
20 am wondering if you can tell us if the official Democratic Party
21 is doing anything about putting any financial resources into
22 this movement? It is going to take money to do all of these
23 things. What is the official party going to do about that,
24 if anything?

25 SENATOR MASCONI: Let me say first of all that I wish

1 I had the power to speak for the official Democratic Party
2 to the extent I can influence the Democratic Party. My per-
3 sonal view is that all of this is really rather nonsensical
4 and really falls into the field of rhetoric unless we all know
5 that it takes power to effectuate all of these ideological
6 aspirations and power is, in part, certainly the funding of
7 operations to do this. I would go on record saying if this
8 is to become a reality, it has to encompass all of the imple-
9 ments the politicians know to be essential. That includes
10 proper financial aid. I hope the Democratic Party, if they
11 adopt this this weekend, which I hope they will, understands
12 that. I would like to be a leader in that particular fight.
13 Let me say if I could speak for them I would feel free in say-
14 ing that is the general view of the Democratic Party.

15 MR. GABOURIE: I have no questions.

16 FATHER CASSO: Senator, it is quite enlightening, first
17 of all, to get this document, especially after hearing the
18 testimony of the last few days. However, I would like to ask
19 several questions of you having to deal with your view and
20 what you can do as majority leader in the recommendation of an
21 increased amount of judges to be appointed in the Mexican-
22 American communities in the state, Mexican-American judges.

23 SENATOR MASCONI: Thus far, with respect to that is-
24 sue, the extent of the influence I have sought to exert has to
25 do with my own city, which is generally regarded by most people

10 in the legislature as being "the most progressive of all." I
1 can refute that when I tell you of all of the diverse ethnic
2 groups in San Francisco the Spanish speaking is certainly among
3 the largest in number. Yet there are no Spanish speaking
4 judges, no Spanish surname judges, certainly. At the same time
5 I have urged individuals whom the community delegated for this
6 responsibility as their best representative to get on the ju-
7 diciary. Thus far I have been ineffective. I would not
8 imagine you would be too astonished to know that I have only
9 been here in the last four years where the appointive power
10 does not always look to me for this.

11 To generally answer your question, that fits within
12 what we are talking about, that, to me, as a lawyer, without
13 derogating my present job in the legislature, has got to be
14 the real crux of government, the judiciary. Certainly this
15 has to include members of the Chicano community on that.

16 FATHER CASSO: Senator, here we have the Los Angeles,
17 and specifically the blue area which is East Los Angeles, and
18 in 1961 through reapportionment the Mexican-American community
19 was so gerrymandered that it is very difficult for them even
20 to "elect a dog catcher." Do you see this as a grave concern
21 of yours and the party and will something be done about it?

22 SENATOR MASCOE: To answer both of your questions,
23 if I said anything but yes, that it is a grave concern, this
24 would be labeled rhetoric. This is what we are really talking
25

about, isn't it?

1 FATHER CASSO: That is right.

2 SENATOR MASCONI: What will be done about it, again
3 I am sure you are all adults and you understand that I am
4 one vote, together with any influence I may have. But my one
5 vote and the influence I may have will be dedicated to the
6 restructuring of the party so that in addition to the judi-
7 ciary the same people we are talking about, Chicanos and
8 Latinos, are represented in this legislative body.

9 FATHER CASSO: Do you feel from your experience that
10 there is serious gerrymandering to the detriment of the Chi-
11 canos in Los Angeles?

12 SENATOR MASCONI: I think the best answer to your
13 question—and I hope it is not evasive—but I look around me
14 in the Senate and I see none. Therefore, the answer must be
15 yes.

16 FATHER CASSO: The other thing has to do with yes-
17 terday when testimony was given—and these are the figures
18 that were brought out as far as employment and I would have
19 hoped the chart would have been here so I did not have to
20 read this—from the federal elected and appointed officials,
21 according to the 1970 California roster, of 525 people there
22 were only seven Mexican-Americans. For the state legislature
23 and advisors, of the 195 only two; of the executive officers
24 of the state, of the 2,291 employees only 13 were Mexican-
25

12
1 Americans; the state boards, commissions and advisorys, of
2 the 1,732, only 47 were Mexican-Americans; city and county
3 government officials, 10,907, only 241 were Mexican-Americans.

4 What do you think of that record?

5 SENATOR MASCONI: It is poor and poor is a patronizing
6 word. It is disgraceful. All I can tell you, and I am sure
7 you want the truth, it is important that we have competent
8 people in these important positions. Further, I think it
9 enhances your position. I have to regard my job as important
10 and I am just egotistical enough to believe the people who
11 sent me here want me to have the best office available. I
12 don't have a very large staff. Two of mine are from the
13 Latino community and they have been from the outset. I regard
14 them as among my very best. So obviously my view is there is
15 an abundance of competent people in a community to adequately
16 put forth the abilities and obviously it has to be reconciled.

17 FATHER CASSO: Do you see a value in the advisorys
18 and committees having on their staffs Mexican-Americans as
19 consultants and to help their decision makers in helping to
20 change this picture?

21 SENATOR MASCONI: Senator Dymally and I thought it
22 was most important and we thought that was the case as re-
23 cently as last week. To go a little further, I am not going
24 to report in telling Blacks what is best for Blacks and Chica-
25 nos what is best for Chicanos, et cetera, except what I am.

13

Therefore, I am going to need people who are going to be affected by this kind of program to play a large part in telling us how it ought to be done.

So my long answer to your question is yes, we must have the people who are concerned about what is regarded as gerrymandering in 1971 and to ungerrymander it and provide the kind of representation on the official level that we talk about.

FATHER CASSO: My final question has to do with the testimony that came in yesterday having to do with Spanish being spoken in a voting place, not the booths, but the voting place, that voting officials would immediately stop two people who were speaking Spanish. Do you feel, since you address yourself to language here and voter registration, do you feel the Democratic Party can do something to look into that particular problem?

SENATOR MASCONI: Let me say we ought to do more than look into it. Any interference with the electoral process, and that certainly includes any time you walk into that booth and well in advance of that, I would think is criminal. We certainly have made every other kind of misconduct criminal and I don't think we ought to let that go undetected. I would hope it was already, at least technically, within our laws. If it was not, I would urge the legislature to do that this session.

FATHER CASSO: I have nothing further. Thank you.

SENATOR MASCONI: To me that is an obvious interference with the process.

MR. REINHARDT: Mr. Glick.

MR. GLICK: I have no questions.

FATHER CASSO: I will ask one more question.

From the testimony this morning, we heard of a tremendous disillusionment with the Democratic Party on behalf of the Mexican-American community, particularly on behalf of the young. Although this document will be an important step to show the Mexican-American community the Democratic Party's concern, do you feel a major thrust and a major effort, a major campaign, affirmative action campaign, on the part of the Democratic Party will be necessary in order that the Mexican-American community will not only know this to be a reality, but likewise can have it implemented by leadership such as yours?

SENATOR MASCONI: Absolutely, Father, and I would like to go one step further.

I don't mean to be facetious, Mr. Chairman, at all, but I have talked to some of my colleagues who feel disappointed and put upon because the Mexican-American community has been so hypocritical of the Democratic Party in the long run because of some of the deficiencies we seek to correct now. They usually compare themselves with the Republican Party. I think the

15
1 first thing we have to make very clear to my colleagues is
2 that Mexican-Americans don't deal in relative terms. They
3 have come to look on the Democratic Party as the party that
4 at least rhetorically speaks for it, but they no longer want
5 rhetoric, they want implementation. It is not good to say
6 we have to be better than the Republican Party, we have to be
7 a great deal better than we have been.

8 FATHER CASSO: Thank you.

9 MR. REINHARDT: Mr. Glick.

10 MR. GLICK: Senator, just as a point of information,
11 Father Casso was referring to the prohibition of the speaking
12 of Spanish at the polls. That derives actually from a statute
13 from the Election Code Section 14217, which provides all pro-
14 ceedings at the polls shall be conducted in the English lang-
15 uage, no election official while on duty shall speak in other
16 than the English language. It is a matter of statute.

17 SENATOR MASCONI: So let me say it is proof positive
18 you learn something every day. Let me assure this Commission
19 that we will put in a bill as early as next week to eradicate
20 that from the law. Our success will depend upon how serious
21 we are about eliminating this. It strikes me as a legislative
22 sanction for electoral interference.

23 May I have that section again, please?

24 MR. GLICK: No. 14217.

25 SENATOR MASCONI: The Election Code?

16

1 MR. GLICK: Yes.

2 SENATOR MASCONI: Thank you.

3 MR. GLICK: Senator, the report of the Committee on
4 Democratic Party Reform contains a number of recommendations,
5 some of which could be implemented by administration and some
6 will require legislation. Has there been any movement this
7 early in the session to draw up legislation to put some bills
8 in the hopper to implement these recommendations?

9 SENATOR MASCONI: Immediately upon the passage of
10 this report, and hopefully without further admendment, that
11 is exactly what is intended to be done by me and others.

12 MR. GLICK: Thank you.

13 SENATOR MASCONI: Our experience has been that, des-
14 pite that Steve Reinhardt and many other hard-working members
15 of these Committeess of the total Commission have amended and
16 reamended and tried to get it in perfect form, we know there
17 will be efforts to do so, even on a small basis over the week-
18 end. At the moment, we have a report before us and, I think,
19 it is a mandate to the Legislature, of which I am a member,
20 to implement it wherever necessary by statute or Constitu-
21 tional amendment.

22 MR. GLICK: Suppose in the event of political rea-
23 sons completely unrelated to the validity of some of the
24 recommendations and maybe the report is not adopted by the
25 Party. That still would not mean legislation to abolish

1 residency requirements would not in and of itself not be a
2 good idea.

3 SENATOR MASCONI: I have done this and it struck
4 me that in order to get the best shot at this it would be
5 well to await a mandate from the Party itself. If you are
6 asking me does all of my endeavor depend upon the passage and
7 successful passage of this, the answer is no.

8 MR. GLICK: Thank you. That is what I wanted.

9 SENATOR MASCONI: The answer is no.

10 MR. REINHARDT: Mr. King?

11 MR. KING: I have no questions.

12 MR. REINHARDT: Mrs. Kuchman?

13 MRS. KUCHMAN: I have no questions.

14 MR. REINHARDT: Thank you, Senator.

15 SENATOR MASCONI: Thank you very much, Mr. Chairman.

16 MR. REINHARDT: Is Mr. Armando Morales in the room?

17 Mr. Morales, would you give us your name and identi-
18 fy yourself for the record, please.

19 MR. MORALES: I am Armando Morales. I am not here
20 representing any organization. I was asked to testify here
21 as a person who has some expertise and knowledge about the
22 Chicano-police relationships in East Los Angeles. I am going
23 to address my remarks to the conflict that exists currently
24 between the police and Mexican-Americans in East Los Angeles.
25 It really has as an underlying reason the whole problem of

political power.

1 May I begin at this point with my remarks? I just
2 have a few minutes of some written material here that I would
3 like to read. I will leave a copy for the Commission.

4 I am here at the request of the Commission to testi-
5 fy about the issue of political reapportionment, i.e., to
6 recommend an increase of political power for Mexican-Americans
7 in California. I admire the Commission's efforts in this re-
8 gard, but viewing the historical social-political relationship
9 in this state between Mexican-Americans and Anglo-Saxons, I
10 feel it is very naive to assume that once Anglo-Saxons in
11 political power understand how their severe political discrim-
12 inations have affected Mexican-Americans, that they will be
13 understanding and voluntarily give political power to Mexican-
14 Americans. In this respect, I am profoundly skeptical that
15 anything other than a token political gesture will be the
16 final result. Although these statements sound pessimistic,
17 they are not being made by a pessimist as a true pessimist
18 would have refused to come here to testify.

19 My comments will be restricted to the Mexican-
20 American East Los Angeles community, the scene of four urban
21 riots within a 12-month period. It has had more civil turmoil
22 than any area in the United States for the years 1970 and 1971,
23 and in its plea for help from politicians, it has been totally
24 ignored by Mayor Yorty, the Los Angeles City Council, the
25

County Board of Supervisors, Governor Reagan, and even President Nixon. 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. My testimony will attempt to point out to the Commission one of the severe manifestations of political powerlessness as it pertains to East Los Angeles Mexican-Americans and law enforcement agencies. 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. Different government agencies have been used throughout history to suppress the Mexican-American for political motives. Historically, this can be traced to the late 1840's when first, the U. S. Army was used to politically conquer the Mexican-American in the Southwest. Again, there were political motives when, during the Depression, Anglo-Saxon politicians used the federal Immigration Department to deport to Mexico 312,000 persons of Mexican descent, many U.S. American born citizens, residing in California. And today, the powerful, modern urban army—the police—are being used in a like fashion for political suppression of Mexican-

1 Americans. Under a banner of "Law and Order," Ar lo-Saxon
2 politicians have richly provided law enforcement agencies
3 the funds to carry out their political mission to "keep the
4 Negro and Mexican in his place." No longer is the police
5 assault being direct to murderers, rapists and thieves, but
6 rather the police are out to stifle dissent, harass noncon-
7 formists and contain the politically militant minorities.
8 The police target is not criminality, but social and political
9 deviance from the status quo. The silence of politicians
10 only serves to give license to police to do what they wish in
11 their abusive transactions, even murder, with Mexican-Americans
12 in East Los Angeles. The East Los Angeles situation may not
13 necessarily be an atypical experience for Mexican-Americans
14 residing in the United States.

15 The following condensed report is Chapter IX of
16 "Ando Sangrando," a study of Mexican-American-police conflict
17 and an analysis of the East Los Angeles 1970 Riots, a 220-
18 page document. The total report is in the process of being
19 reproduced and once it is released to the public, a copy will
20 be given to the Commission as part of the record of these
21 hearings.

22 "Chapter IX - The American Introgenic Solution.

23 "In this final chapter, a few comments will first
24 be made with regard to recommendations that could lead to a
25 reduction of conflict between Mexican-Americans and the police

1 based upon what occurs in other communities where these tense
2 conditions are not found. The important factor to consider is
3 the amount of political authority a given community has with the
4 the police agency, that the greater the community authority
5 over the police agency, the less friction and conversely, the
6 greater the police authority over the community, the greater
7 the friction. The second half of this chapter will consider
8 what hopefully will not be a course of action for policy-
9 makers to adopt, the American Iatrogenic Solution to Mexican-
10 American-police problems.

11 "In the beginning it was stated that Mexican-American-
12 police conflict had to be analyzed in the framework of a polit-
13 cal power struggle, that when Mexican-Americans have strived
14 to improve their political and socio-economic condition, they
15 frequently come in direct conflict with the legal system and
16 the police establishment. Considering this factor, it is the
17 writer's opinion, based on more than 13 years of experience in
18 dealing with Mexican-American-police conflict, that these
19 problems cannot be solved on the local Mexican American com-
20 munity level because; 1, Mexican-Americans are politically
21 powerless and, therefore, can be and are easily ignored by
22 the police; 2, even if the police desired to adopt Mexican-
23 American recommendations, in some cases they would not be em-
24 powered to implement the recommendations, e.g., a police com-
25 missioner candidate selected by the Mexican-American community,
and 3, these problems are symptomatic of the strained rela-

1 tionship between Mexican-Americans and the broader community
2 as expressed through institutional discriminatory practices,
3 particularly as it pertains to the legal and political sys-
4 tem.

5 "Poor, powerless, ethnic minority communities find
6 it painful to accept the authority of insensitive, nonresident,
7 middle class Anglo-Saxon police officers who in turn become
8 angry at Mexican-Americans because they are not afforded the
9 recognition and respect they receive in their own Anglo-Saxon
10 middle-class communities. Although at times class, culture
11 and language differences might be factors to consider as con-
12 tributing to this polarization, they are not as important as
13 the strained authority relationships between the two groups.
14 Mexican-Americans, like any other group, bitterly resent an
15 outside imposed authority and likewise police would greatly
16 resist the notion that their police agency be under the au-
17 thority of the Mexican-American community. It is known that a
18 free democracy functions best when citizens have the right to
19 determine how social institutions will best serve them. Be-
20 cause of numerous complex and compounded discriminatory insti-
21 tution practices, such as those mentioned in this paper, this
22 is definitely not the case with the Mexican-American in East
23 Los Angeles. Actually, East Los Angeles is an ethnic minority
24 community subsystem. In this community subsystem, Mexican-
25 Americans live in totalitarian-like atmospheres which is part

1 of a larger community system which functions as a democracy.
2 This reflects a double standard of government rule. In other
3 words, greater Los Angeles practices a form of selective
4 democracy with its residents. Some people and some communi-
5 ties in Los Angeles enjoy the real advantages of a democracy
6 but others, such as Mexican-Americans in East Los Angeles, do
7 not. This is the primary reason why conflict exists between
8 the police and Mexican-Americans and the reason why these
9 problems cannot be solved on the local Mexican-American com-
10 munity level.

11 "Changes have to be made in the operations of the
12 larger community system that affect the welfare of the smaller
13 community subsystem. To be more specific, changes in abrasive
14 police operations affecting the Mexican-American community
15 have to be initiated by the power structure of the larger com-
16 munity. It is also in the larger community power structure
17 that the potential for Mexican-American political self-determina-
18 tion lies. Political self-determination has to become a
19 reality if one wishes to see a final end to the conflict be-
20 tween the Mexican-American community and the police. The im-
21 portance of these factors will be considered in the following
22 recommendations in addition to formulating recommendations
23 that can have the effect of discouraging abrasive police prac-
24 tices. The recommendations will be divided into three time
25 phases in three defined interrelated problem areas as follows:

1 One, acute individual abrasive police practices; two, insti-
2 tutional discriminatory practices; and three, the development
3 of Mexican-American political self-determination."

4 I will address myself only to the third level of
5 recommendations, that of Mexican-American political self-
6 determination.

7 "Problem: Because of numerous historical and cur-
8 rent political discriminatory practices by those in federal,
9 state and local political power, Mexican-Americans in East Los
10 Angeles today find themselves politically powerless to effect
11 positive change in social institutions, particularly the police
12 institution. It is assumed that political influence will make
13 the police establishment more receptive to suggestions emanating
14 out of the Mexican-American community.

15 "Corrective Measures: Two approaches are suggested
16 to help the Mexican-American toward political self-determinati-
17 First of all, current practices in the criminal justice system,
18 police, District Attorney, courts and corrections, prevent
19 Mexican-Americans from realizing their political potentials
20 have to be identified and corrected. Secondly, current politi-
21 cal discriminatory practices, such as gerrymandering, on the
22 federal, state and local level have to be clearly identified
23 in order to take appropriate corrective action.

24 "Americans have a right to political dissention and
25 to demonstrate publicly. However, the District Attorney has

1 used the state conspiracy statutes against Mexican-Americans
2 on at least three occasions, the East Los Angeles high school
3 'blow-outs' in May 1968, the 1969 Biltmore Hotel 'Nuevas
4 Vistas 10' education demonstration, then the December 1969
5 Catolicos de la Raza demonstrations at St. Basil's Catholic
6 church. Rather than dealing with alleged law violations, dis-
7 turbing the peace, et cetera, as individual acts and therefore
8 misdemeanor offenses, the District Attorney chose to use the
9 conspiracy laws, felony offenses, as a political tool to dis-
10 courage political dissent. As Loretta Ayala de Sifuentes has
11 stated: 'Charging dissenters with conspiracy rather than,
12 or as well as, with substantive offenses allows the prosecu-
13 tion—the government—to attack them as a group and to subject
14 such associations to labeling, such as criminal or communist,
15 and social disapprobation of the sort that will greatly in-
16 hibit the formation of such associations for fear of possible
17 involvement in future conspiracy prosecutions and for fear of
18 the effect on the lives of individuals of such labeling.'
19 The District Attorney should terminate these discriminatory
20 practices as they discourage the politics of organized protest
21 which, if not allowed to develop, will result in the politics
22 of violence to effect change in social institutions.

23 "Mexican-Americans complain of harassment and un-
24 warranted arrests by police because they dare exercise their
25 right to protest against the police and other institutions.

1 The police intimidate them by raiding their headquarters,
2 taking their photographs as they demonstrate, arrest them
3 right out of the picket lines, and harass them in their private
4 homes. If these practices are not the official policies of
5 the Chief of Police and the County Sheriff, then they should
6 immediately assume control of those officers demonstrating
7 questionable behavior. Their behavior not only has the effect
8 of political suppression, but it compounds and provokes the
9 psychological injury of an explosive community.

10 There are approximately 40,000 adult inmates and
11 parolees in the California Adult Authority corrections system
12 and of these 20 per cent or 8,000 are of Spanish surname and
13 mostly from the Southern California area. Most Mexican-
14 American convictions are for narcotics offenses. Because of
15 numerous, interrelated institutional discriminatory practices
16 that result in more poor Mexican-Americans being arrested, con-
17 victed and imprisoned for narcotic offenses than middle-class
18 persons, their punishment is made even more severe because
19 they also lose their right to vote. And because they lose
20 their right to vote, they become politically helpless to par-
21 ticipate in the American democratic process to change those
22 social conditions that caused their initial downfall, and
23 which will also cause their future downfall. They are in re-
24 ality trapped in a vicious cycle. As they are trapped in not
25 being able to vote, the Mexican-American community is likewise

1 trapped. In this respect, the state correctional system is
2 politically oppressing the Mexican-American community. The
3 original purpose of the law was to punish the offender, but it
4 is also punishing a class of people. Politics, in this re-
5 spect, have no place in the correctional system. This unjust
6 law should be terminated.

7 "For the last two years the Chicano Law Students
8 Association and the Congress of Mexican-American Unity have
9 attempted to persuade the Los Angeles City Council and the
10 Los Angeles County Board of Supervisors to expand their member-
11 ships to make it possible for Mexican-Americans to have a po-
12 litical voice in government. The Board of Supervisors rejected
13 this request. After an initial denial of this request, the
14 City Council later decided to attach the request—expanding the
15 city council from fifteen to seventeen members—as an amendment
16 with the new city charter proposal in the 1970 November elec-
17 tions. The council stipulated, however, that the new city
18 charter first had to be passed by the voters before they could
19 vote on the independent enlargement amendment. Mexican-
20 Americans viewed this feeble, impractical attempt as a politi-
21 cal maneuver designed to make Mexican-Americans believe that
22 the city council was truly attempting to help them develop
23 political power. The Board of Supervisors and the City Council
24 should again reconsider these matters with the assistance of
25 Mexican-American organizations, and demonstrate a tenacious

1 commitment to resolve the problem in a creative, practical
2 manner. A democracy functions best when all people have a
3 voice in government. Urban disorder is a luxury that dis-
4 criminatory political interests can no longer afford—everyone
5 loses.

6 "Because the 1970 census will reveal an increase in
7 population in California, new congressional districts will
8 have to be created. This will provide an opportunity for
9 those in political power to coordinate their efforts in sup-
10 porting the creation of congressional districts that will be
11 favorable to Mexican-American voters.

12 "Another approach to help the Mexican-American de-
13 velop political self-determination is to fill current politi-
14 cal office vacancies with Mexican-Americans. For example, at
15 a recent meeting called by Senator Alan Cranston involving
16 Anglo-Saxon businessmen and Mexican-Americans, Abe Tapia,
17 State Chairman of the Mexican-American Political Association,
18 recommended that the businessmen, with the support of the Los
19 Angeles Times, campaign to fill Danielson's vacated state
20 senate seat with a Mexican-American in order for Mexican
21 Americans to have a voice in the district reapportionment dis-
22 cussions in the coming state legislature sessions. Without
23 a Mexican-American voice in these discussions—based on his-
24 torical experience—current political discriminatory practices
25 will become even more severe."

1 to begin with, the police-citizen contact is a highly exciting
2 and provoking type of experience. I don't think by increasing,
3 say, the number of Mexican-American officers it would reduce
4 the tension. I believe there are abrasive practices going on
5 within the police department in its transactions with the com-
6 munity. For example, the whole question of over policing the
7 community. There are many more people per ratio of population
8 being cited for traffic offenses. There are more people being
9 arrested for drunk driving, drunkenness, than in other communi-
10 ties, even though it has an identical level of alcoholism as in
11 other areas. There is excessive helicopter patrolling of the
12 community and that is, I think, psychologically provoking.
13 There are institutional practices that have to be changed rather
14 than individual to individual street relationships, which might
15 happen if there were more Mexican-American police officers on
16 the force.

17 MR. GABOURIE: In East Los Angeles you have a district
18 court in which four judges preside, ~~two~~ three of which are Mexican-
19 Americans. Does the East Los Angeles community feel these
20 three judges are not relating to the defendants who come before
21 them? Are they unsatisfied or dissatisfied rather with the
22 three Mexican-American judges who preside in the East Los
23 Angeles court?

24 MR. MORALES: I am personally not aware of any com-
25 plaints as far as the community is concerned toward the three

1 Mexican-American judges, but, again, I would say there is a
2 certain type of discriminatory practice which has been in-
3 stitutional, even into the court system, which is by and large
4 hurting the community, which I don't think the community is
5 actually aware of. Again, what I am speaking of is an over-
6 representation of people being arrested for the offenses of
7 drunk driving and drunkenness.

8 To give you one dramatic example, in the East Los
9 Angeles community there are approximately 10,000 persons of
10 Spanish surname being arrested for drunkenness or drunk driving,
11 yet in a middle-class Anglo-Saxon community that has an identi-
12 cal ratio of alcoholism, there are only 1,500 people being
13 arrested per year for the same offenses. In East Los Angeles
14 there are 375 police officers patrolling the area and in the
15 middle-class Anglo-Saxon community there are only 100, just
16 a little over 100, police officers. My point is the more you
17 increase the patrol of any community, the more the police
18 behavior affects the behavior of the people.

19 MR. GABOURIE: Have the citizens in East Los Angeles
20 as a body contacted any of the three Mexican-American judges
21 and told them this?

22 MR. MORALES: I am not aware of this happening. As
23 I say, this document is 220 pages long and it has one chapter
24 addressed to this very question. Once we are able to repro-
25 duce this document, we certainly are going to involve the

1 courts, not only the municipal courts, but the state and
2 federal courts.

3 The same type of process is involved in the nar-
4 cotics problem.

5 MR. GABOURIE: Thank you.

6 FATHER CASSO: Do you feel because of the activity
7 you have indicated, Mr. Morales, that the community is more
8 aggravated today than it was, say, in August?

9 MR. MORALES: I would say yes. I have made a survey
10 of the literature of communities that have had riots through-
11 out the U.S. and it seems in all communities that did have a
12 riot during the 1960's, primarily 1965 to 1968, in all cases
13 there was an increase in police patrolling. It seems as if
14 the usual constraints of the police were pretty much removed
15 and the police became involved much more aggressively with
16 abrasive practices in the community. This is very much so in
17 the situation in East Los Angeles. There are many people in
18 the community who are very angry as to the intensified abrasive
19 practices of the police.

20 FATHER CASSO: This morning one of the attorneys
21 read from the U.S. Supreme Court Katzenbach versus Morgan and
22 made this statement: "Debasement or dillusion of a class,
23 namely, a minority group voting strength, may and does, in fact,
24 lead to any treatment of government services such as public
25 schools, public housing and law enforcement." From your testi-

mony, is it your opinion this is true and that this is going
1 on in East Los Angeles?

2 MR. MORALES: Certainly, yes.

3 MR. MONTGOMERY: Any questions?

4 MRS. KUCHMAN: No.

5 MR. MONTGOMERY: Mr. Glick.

6 MR. GLICK: Mr. Morales, in the absence of any over-
7 all social change in Los Angeles, and that is the relationship
8 between the Mexican-American subculture—I can't recall the
9 term you used exactly—and the greater community, can you make
10 any suggestion or recommendations as to what efforts could be
11 taken administratively to give greater control over the law
12 enforcement agencies in this area to the people of Los Angeles,
13 both in the county and in the city?

14 MR. MORALES: I feel that there is a city charter in
15 the City of Los Angeles and it is written in the city charter
16 exactly how the police department will function. But the way
17 the situation is currently structured, there is no way really
18 that one can effectively represent the Mexican-American com-
19 munity, say, on the Police Commission. Members of the Police
20 Commission are appointed by the mayor and so far, to this
21 point, appointees on the Police Commission have not been per-
22 sons that have come out of the East Los Angeles community or
23 that reside in the East Los Angeles community. I believe some
24 type of process or vehicle has to be worked out where people
25

1 from the Mexican-American community can be elected or selected
2 in some fair way so they can serve on the Police Commission.
3 I think this would have some effect on the problem.

4 MR. GLICK: I would think there could be a decentral-
5 ized law enforcement agency--and this has been tried in other
6 cities with a varying degree of success--so the precincts which
7 lie in East Los Angeles would really have officers who are re-
8 sponsible to local community boards.

9 MR. MORALES: I would think if something like this
10 could be worked out it would in some ways begin to reduce some
11 of the friction of the community. The biggest problem is there
12 is no dialog between the police and the community it is serv-
13 ing. Any step taken in the direction of bringing the police
14 under greater influence of the community, I think this would
15 have some effect in reducing the conflicts between the two.

16 MR. GLICK: Do you know or would you offer an opinion
17 as to any roll the federal government could play in terms of
18 containing the hostility that seems to exist between the people
19 and the police in East Los Angeles?

20 MR. MORALES: Yes, I have an idea about that. As
21 you know, there is a federal law, Title 18, US Code, Section
22 242, that makes it a federal offense for any police officer
23 or peace officer to deprive a citizen of his rights through
24 abusive behavior, beating, et cetera. This law initially in
25 its original form was initiated in 1872, revised in 1940,

1 again in 1964. Since then there have been a few mild modi-
2 fications of that law. But to date since that law has been
3 created there has not been one person of Spanish surname
4 throughout the United States that has ever received protection
5 from that law in a sense that a police officer has been prose-
6 cuted for abusing the civil rights of a Mexican-American.

7 I feel if the federal government could aggressively
8 use that law and prosecute police officers who have assaulted
9 Mexican-Americans, this will tend to have a cooling-off effect
10 on the actions of many police officers.

11 Currently the police pretty much feel they can do
12 what they wish, feeling quite confident no one will do any-
13 thing about the situation. Concerning the East Los Angeles
14 picture for the last 12 months, I believe their opinions and
15 beliefs are correct.

16 MR. GLICK: Thank you.

17 MR. MONTGOMERY: Anything further?

18 MR. KING: Yes.

19 I get the feeling from your remarks that you feel
20 an explosion in the East Los Angeles community could be
21 imminent. Is that a fair statement?

22 MR. MORALES: Yes. As I pointed out in my earlier
23 testimony, there have been four explosions, which have made the
24 community most explosive, during the 12-month period.

25 MR. KING: You said you also made a study of a number

of communities around the United States in which there have been similar explosions. You named or stated one factor.

Are there others? I am sure there are.

MR. MORALES: Yes.

MR. KING: Perhaps you could enumerate a little bit on that.

MR. MORALES: Yes.

I have information here regarding the three explosions that occurred in East Los Angeles during the year 1970. I have not considered the most recent since the situation occurred on January 9th of this year. The first explosion was on January 1, 1970, another on August 29, 1970, and a third on September 16, 1970.

The conditions and circumstances found in approximately 168 riots that occurred throughout the U.S. during the mid 1960's, I compared those conditions with the conditions in East Los Angeles. I might just point out a few of them in reference to your question.

The conditions to be found in the U.S. riots were, one, socio-economic, political and psychological depression. This was so in East Los Angeles. A feeling of exploitation, this was true in the East Los Angeles community. Lack of influence and communication means, this was so in East Los Angeles. A feeling of powerlessness, this was so in the East Los Angeles community. Hostility toward law and government,

1 this was so in the East Los Angeles community. Outbursts
2 precipitated by routine arrests, this was so in one of the
3 three explosions in the East Los Angeles community. The police
4 symbolized white power to the community, this was so in the
5 East Los Angeles community. A preception of police brutality
6 and a double-standard of justice, this was so in the East Los
7 Angeles community.

8 Most of the riots were what they call commodity
9 riots. That means there was an explosion directed primarily
10 at business establishments and commodities. This was so in
11 two of the East Los Angeles riots and not true in the third.

12 Death resulting from police force, there were some
13 deaths in the East Los Angeles explosion; injuries resulting
14 from police force, this was so in the East Los Angeles com-
15 munity. Police injuries as a result of this, this was so in
16 the three East Los Angeles situations. There was an absence
17 of organized conspiracy, this was so in the East Los Angeles
18 community. A carnival spirit was there prior to the rioting,
19 this was so in the East Los Angeles situations.

20 In the first phase of the U.S. riots, crowds col-
21 lected, police were stoned, tensions mounted, this was so only
22 in two of the East Los Angeles situations. The second phase°
23 was breaking of windows and looting, this was so in the East
24 Los Angeles situation. The third phase was fire bombings, arson,
25 this was so in only two of the East Los Angeles situations.

1 There were police counter-measures, this was so in two of the
2 East Los Angeles situations. The police escalated the riots
3 by too early, too little reaction or over-reaction, regarding
4 East Los Angeles there appears to have been over-reaction in
5 the August 29, 1970, riot in which there were three deaths.

6 In the U. S. riots local citizens were allowed to
7 handle the disorder with minimum police intervention. This was
8 not so in the first two East Los Angeles riots, but was so in
9 the third. The preventive approach taken by the police, this
10 was so only in the third riot.

11 The third phase of riot, a minority group police
12 confrontation, this was so in the two latter riots in East Los
13 Angeles.

14 There are other different points and it seems as if
15 the situations were almost identical to the U. S. riots.
16 Again, if you want to read this in more detail when the report
17 is available, you may have a copy for your consideration.

18 MR. MONTGOMERY: Thank you very much, Mr. Morales.

19 My name is Alpha Montgomery and I will act as the
20 Chairman until your Chairman, Herman Sillas, returns. I under-
21 stand he is making a presentation at the immediate time.

22 Our next witness is Mr. Julian Nava—I understand Mr.
23 Munoz is here.

24 Would you state your name and your organization.

25 MR. MUNOZ: I am Rosalio Munoz. I am Chairman of

the Moratorium Committee and also the Police-Community Relations Task Force.

I came here prepared to talk about incidents in the past in terms of how the police enforce political exclusion on Mexican-Americans in Los Angeles County, but the situation now in Los Angeles County really directs my attention, and I hope all the people who are concerned about human beings, to the future and to the coming weekend ending on January 31.

I would like to read a leaflet to begin my testimony. It has been put out by our Committee concerning a demonstration ending on January 31.

(At this time, a statement was read into the record by Mr. Munoz.)

1 MR. MUNOZ: The role of the Chicano Moratorium
2 Committee is one, as State Senator Mascone talked about,
3 of politics. We engage in, I guess, in what is known in
4 legal terms as the speech plus activities, something very,
5 very necessary to our community, because of the fact we have
6 no real effective political representation in our local areas,
7 statewide and national. Because of the lack of this repre-
8 sentation and because of the lack of the effectiveness of the
9 representation that we do have, political issues as defined
10 by the standard institutions in this country do not relate
11 to our people and their every-day lives. In order for our
12 people to participate in the political arena, it is extremely
13 necessary for there to be groups such as our Committee, such
14 as many other groups throughout the southwestern part of, well,
15 southwestern United States, that can use as effectively as
16 possible the guarantees of the Constitution of the United
17 States, primarily the first amendment, to break down the is-
18 sues to our people.

19 This is what we saw as our duty to do for our people
20 on the issue of the war where we found a disproportionate
21 amount of Mexican-Americans, Spanish surname people, dying in
22 the bloody, immoral war in Vietnam. We think we effectively
23 did that and placed the issue to our people so they could see
24 it clearly. We had to do it on our own because even a group
25 such as the Peace Movement in this country was institutionally

racist as it dealt with the issue because it effectively taught
1 Angeleno middleclass youths as to the whys, first of all, of
2 not going to the war and how, through draft counseling and
3 other measures, to avoid the war. The result was more Chicanos
4 and Blacks and poor people filling the quotas of our Selective
5 Service System. So we had to do it on our own and there was
6 a great need to do it.

7 We became convinced before August 29th that if we
8 were going to bring the war home—because we said the war, our
9 war, was a struggle for social justice—the next place we would
10 have to focus our attention was on the issue of the police
11 brutality, police-community relations, but when there is bru-
12 tality there are really no relations. Unfortunately, before
13 we could finish our August 29th national mobilization, we had
14 to deal with the issue of police brutality right there in the
15 park. Every since then our Committee has been subject to con-
16 tinuous harrassment, physical and psychological, by the Los
17 Angeles Police Department primarily and in part by the Sheriff's
18 Department of the County of Los Angeles.

19 Now, with this upcoming demonstration ending on the
20 31st of this month, we come to what we see as the central core
21 of the issue of police brutality. In Chicano communities through-
22 out Los Angeles there is a growing fear, an aura of fear through-
23 out Los Angeles, about our demonstration, a fear concerning
24 violence. That is the essential thing about the police issue,
25

1 it is fear, not just for Mexican-Americans, but, as I see
2 it, for all citizens in our modern society, because police
3 seem to be using fear more and more as a way of doing their
4 job. With us it is a deep-rooted fear.

5 I think the prior testimony of Mr. Morales in talking
6 about the military invasion, the stealing of our land, the
7 efforts of Immigration to break hundreds of labor efforts and
8 to try to tell white people, "We are making jobs for you by
9 getting rid of Mexicans", in the '30s and the '50s, then after
10 World War II with the police being that agency that creates
11 the fear in our people, a fear that makes any kind of politi-
12 cal activity, it gives you an ambiguous feeling if you are a
13 Chicano or a Black if you are going to step out and exercise
14 your basic rights.

15 I have with me some testimony of the efforts we have
16 made in trying to get the Los Angeles Police Department to
17 stop the harrassment of our Chicano Moratorium Committee.
18 Fifty-four members of the Committee and organizers have been
19 arrested falsely, stopped and beaten. Some of these instances
20 will be in the testimony. I find it particularly interesting—
21 if you will take a look afterwards at the testimony of the then
22 head of the Hollenback Division of the Los Angeles Police De-
23 partment, Mr. Harvey, whose testimony about all the police
24 surveillance of the area relates to what he talks about, their
25 being a lot of crime in that community, a lot of youths and

gangs, raising all kinds of stereotypes in the judge's mind about Chicanos being criminally inclined or that our area has a higher rate of crime. The testimony of Mr. Morales will show, I think, there is no high rate of crime in that area as compared to any other areas in the city. But the judge apparently saw fit not to bring a preliminary injunction because there was high crime there and believing the stereotypes that the police threw at him.

The demonstration on January 9th was a demonstration organized by our Committee to protest the harrassment against our people and the Chief of Police has all but said—and I believe it has been reported and it will come out on Sunday—that the First Amendment should not apply to people like myself, that it should be amended so that people like members of our Committee cannot raise the grievances of our community.

There is a lot of fear in East Los Angeles and throughout Southern California and the County of Los Angeles particularly about the upcoming demonstration. We are trying to deescalate the red baiting and the racist statements of the Chief of Police. We have at least 20 members of our community in various areas throughout the community fasting and trying to communicate a spirit of nonviolence. I am one of them. We are also in our fast trying to communicate awareness in our people to look out for paid provocators who want to create violence on the part of the police. In a way, after the 9th,

1 one of our Committee members said, and I would like to quote
2 him, "We have got them on the run," the police, except they are
3 chasing after us with billy clubs and guns, but we do have
4 them on the run and they are chasing after us and are going to
5 be, in my opinion, trying to provoke some kind of violence in
6 order to come down again on us very harshly and in order to
7 suspend our First Amendment rights.

8 I want to call upon all of you seated in front of
9 me, and all of you here, to do everything you can to stop
10 police violence on January 31st. The demonstration has been
11 escalated, as I said, through fear tactics by the Los Angeles
12 Chief of Police, Edward Davis. We envision at the beginning,
13 differently from that on January 9th, not protesting direct
14 political repression against the community, against leaders
15 and organizers, but on the every-day life of our people. We
16 have organized with community people at five points in the
17 county pilgrimages for those people, Chicano people, Latin
18 people, who have suffered directly from police brutality and
19 have witnessed it. The caravans will wind from all corners of
20 the county through the area to East Los Angeles where we will
21 have an open hearing for those people who have been victims
22 of police brutality.

23 I would like to invite all of you at this time here
24 to that open hearing.

25 I will say again that the issue is fear, a fear that

inhibits us politically. Our Committee has decided no longer to fear injustice. We live with it every day in our barrios. We might just as well bring it to the picket line, to the march, to the pilgrimage, if necessary. We also have an attitude that perhaps with this demonstration there may be a time to establish trust for the first time, to establish trust between the community and the police agencies. We have an opportunity to do something for police-community relations throughout the country and throughout the world. We are willing to work toward that as long as you people here can find means of helping the situation, so long as you do not also fear the injustices of the system you represent has placed upon us and so we can begin dealing with each other as human beings.

CHAIRMAN SILLAS: Thank you, Mr. Mamoz.

Are there any questions from the Committee?

Mr. Gabourie.

MR. GABOURIE: I asked Mr. Morales if he thought if there was a higher concentration of Chicanos in the police departments, police agencies, if that would help the situation at all. He answered in the negative. What is your opinion?

MR. MUNOZ: One day I was driving through East Los Angeles around Brooklyn Avenue and the East Los Angeles College. I saw a large billboard right by the school and in large block red letters it said, "Motcho," and below it said in black, "Joins the Los Angeles Police Department." East Los Angeles

1 College has a very high amount of Mexican-American students,
2 a large portion of those students, the male part, have come
3 directly from the battlefields of Vietnam, from the front
4 lines of Vietnam, from places like My Lai and training that
5 has resulted from places like My Lai. They are trying to take
6 advantage of their GI Bill and they are looking for jobs. The
7 way the police go about it, they are trying what I call one
8 form of genocide in America, what I call imperialism. It is
9 one of the few imperial powers that tries to force its culture
10 upon the people it oppresses, primarily by using and taking
11 advantage of the culture of those people against themselves.
12 If the police continue to recruit on that basis, it would be
13 much worse. Unfortunately, some of the worst brutality in
14 the police riots we have faced in the past years have come
15 from Mexican-Americans who must have tremendous moral and
16 psychological conflicts about the situations in which they
17 find themselves. The police departments taking advantage of
18 our culture turns them to brutalize their very people.

19 MR. GABOURIE: Thank you.

20 FATHER CASSO: Do you know of any other incident
21 in the history of the United States, particularly in the '60s,
22 where the police tried to disburse a crowd as large as 15,000
23 people?

24 MR. MUNOZ: I am familiar with the demonstration in
25 Los Angeles at the Century Plaza and that was similar. I am

not familiar with the numbers in that except the police at
1 the Century Plaza, when they dispersed the crowd, just dis-
2 persed it. In East Los Angeles they followed us right into
3 the community chasing us down Wiltier Boulevard. They stayed
4 in the community and established marshal law. They did not do
5 that with the people from Beverly Hills and from Pacific Pala-
6 sades and other areas of the city at the Century Plaza event.

7 FATHER CASSO: Do you feel that in the police or
8 the deputies, that they have a psychological understanding of
9 the Mexican-American temperment or the Latin temperment es-
10 pecially in crowds?

11 MR. MUNOZ: I think there are stereotypes. The
12 head of the Federal Bureau of Investigation came out with one
13 of the oldest ones. You can go back 30 years to see it at its
14 most blatant in testimony in the so-called Sleepy Lagoon Case
15 where the Los Angeles Police Department had one of their men
16 in foreigh affairs division, of something like that, testify
17 that Chicanos were biologically criminally inclined.

18 One of the Chiefs of Police, Mr. Parker, has said
19 as recently, I believe, as 1960, that in dealing with Chicano-
20 police community relations you cannot entirely forget the ques-
21 tion of genes.

22 Perhaps more insidious is what I like to call the
23 liberal argument or the sociological argument, which is, well,
24 because of economic problems, cultural problems, language prob-
25

1 lems, et cetera, there are certain criminal patterns that
2 Chicanos have.

3 I think a lot of Mr. Morales' testimony that will be
4 forthcoming shows that is basically false, if only that the
5 patterns may be less than other segments of the society less
6 criminally inclined.

7 Definitely, the police do not look at us as human
8 beings.

9 FATHER CASSO: Do you feel from your contact and
10 your experience, particularly with the Mexican-American young
11 in East Los Angeles, that their feeling toward and the image
12 of the police and the police department, sheriff's department,
13 is at an all-time low?

14 MR. MUNOZ: Yes, I think it is at an all-time low
15 amongst the youth. In fact, statements in a recent press con-
16 ference by the Los Angeles Chief of Police, he was very, very
17 insidious in trying to divide our people with a so-called
18 warning to the parents of the East Los Angeles youth that
19 swimming-pool Bolshevik's were taking advantage of us and warn-
20 ing us to stay away, their children, away from our demonstra-
21 tions. The children will go anyway. The tactic was trying to
22 get the mothers and fathers to stay away, this is the real
23 thinking, trying to turn the stereotypes on the parents about
24 our youth being the so-called criminally inclined. This is
25 a very, very vicious tactic being used by Mr. Davis.

1 FATHER CASSO: The reason for my question was I had
2 an experience in meeting with one of the public relations
3 police representatives from Los Angeles. I was trying to share
4 with him some of the expressions of the youth. Since this re-
5 port here is going to be in writing, I want to get reflections
6 so that things we say are definitely the things which reflect
7 youth, coming especially from the young.

8 CHAIRMAN SILLAS: Mr. Montgomery.

9 MR. MONTGOMERY: You mentioned earlier in your re-
10 marks about the possibility of infiltration in your movement
11 to provoke violence. I wonder if it is your opinion that if
12 this thing does occur would the impetus be from police action
13 or from some organized group or other political body to take
14 advantage of your situation?

15 MR. MUNOZ: I believe it would be coming from people
16 who fall into the moral corruption of a man or an attitude
17 expressed by the Chief of Police, Edward Davis, in Los Angeles.
18 I definitely fear that there will be many police within the
19 crowd and I don't know what their roll is really going to be.
20 I think that in political terms, as I said, in terms of having
21 the police on the run, it is to their advantage to have vio-
22 lence.

23 I was talking to Mr. Chavez about the power of the
24 council about two weeks. He said that some day the ranchers
25 may understand how to deal with nonviolence, the police may

1 never. He said all they know how to deal with is violence
2 so politically it would be to their advantage for there to
3 be violence.

4 CHAIRMAN SILLAS: Mrs. Kuchman.

5 MRS. KUCHMAN: A number of speakers, and most
6 eloquently you, have indicated that Mexican-Americans not
7 only do not wish to become policemen, but perhaps they
8 shouldn't for any number of reasons. The visibility or the
9 increase of policemen also makes further acts of violence
10 happen. Am I reading you correctly, therefore, that one of
11 the major efforts ought to be simply to get the police out
12 of the area, to withdraw them, to let you people go on about
13 your business of living in your way without police officers?

14 MR. MUNOZ: We are not against police officers, we
15 are against excessive use of fear and abrasive actions by the
16 police. One of them indeed is overpolicing of our areas, as
17 Mr. Morales indicated in his testimony.

18 CHAIRMAN SILLAS: Mr. King.

19 MR. KING: In your initial statement, you stated the
20 reason why you have developed speech-plus activity, I believe
21 you called it, is because there is no effective political
22 activity available to you. That is why we have been here the
23 last two days. I wonder if you would care to comment upon
24 how political activity could be made available to you or if
25 it can at all, I mean, is it beyond the point where this is

possible or is there some way this can be brought about?

1 MR. MUNOZ: As I see it, the 31st provides all of
2 us with the opportunity of beginning to establish trust. We
3 are here, we have been here for hundreds of years and we are
4 going to continue to be here. Apparently you are going to be
5 here too. So we have to establish some kind of trust. I
6 don't know really how to answer your question. One of the
7 things before we can effectively deal, I think, with any other
8 issues, we have to conquer this fear that is being instilled
9 by police agencies so that we can see clearly what our in-
10 terests are politically, socially and economically. If you
11 are living in a police state, then you want to get rid of the
12 police state and the conditions that lead to it.

13 Mr. Chavez gave an example of where the ranchers
14 have gone to for advice. We have to break down the peon syn-
15 drome so that the Coposinos can see the value of picketing in
16 far-off cities, of going after corporations with interlocking
17 directors that own lands that the farmers lease and that the
18 Coposino works in order to get justice for the Coposino. We
19 need similarly to break down the gestapo syndrome so that we
20 can deal effectively with our political, economic and social
21 problems.

22 MR. KING: How?
23

24 MR. MUNOZ: First by being at peace with ourselves,
25 by being willing to trust, by no longer fearing the injustices,

no longer fearing that the police may come down and brutalize our people on January 31st. We have to conquer that fear within ourselves and offer others the opportunity to also conquer the fear of the injustices they have placed on us.

MR. KING: You are talking about almost a spiritual state which is difficult to achieve, isn't it, you know, in the active participation?

MR. MUNOZ: The other day I asked the Sheriff of the County of Los Angeles—well, I told him it would be a good idea if he went on a fast also. Later on he said that he had given orders to avoid confrontation. I am willing to begin trusting a little bit on that. The Chief of Police, though, I am afraid we haven't. I have never spoken with him. His attitude seems rather hostile. We are willing to talk. All we want to do is show there is police brutality. Some of the affidavits I am going to be leaving here are about brutality that has happened to our people. It is outlined very clearly.

In our pilgrimages to the open hearing on the 31st, we want to show that it is there. We cannot close our eyes nor should other people close their eyes to the reality. It is very hard at times to convince people there is police brutality. We have to do that in order to begin breaking down the fear and in order to begin achieving the policies and changes similar to those outlined by Mr. Morales in his study.

MR. KING: Thank you.

1 CHAIRMAN SILLAS: Mr. Munoz, one of the things which
2 is the prime concern of this Committee is the lack of po-
3 litical representation by Mexican-Americans.

4 MR. MUNOZ: May I speak to that?

5 CHAIRMAN SILLAS: Let me ask my question. You have
6 talked about the police-community or lack of police-community
7 relations. Could you indicate how that is tied in, if at all,
8 to lack of political representation of Mexican-Americans?

9 MR. MUNOZ: Yes. There were two intelligence activi-
10 ties sponsored or helped by the Los Angeles Police Intelli-
11 gence Divisions. One was in a report called "The Toms" by
12 Mr. Toms to a Congressional hearing subcommittee to investigate
13 the administration of the Internal Security Act and other in-
14 ternal security laws. I think the Chairman or whatever of that
15 Committee was the man who was Chairman at the time Joe Mc-
16 Carthy was on the Committee. Also, there is a report given
17 by two members of the Los Angeles City Council to the City
18 Council Chamber or to the City Chamber of Commerce when they
19 were about to leave for Washington to do some lobbying activi-
20 ties and to speak with the President. That was outrightly
21 slanderous and had misinformation about our people in the move-
22 ment. It talks about us as dangerous subversives. It has all
23 kinds of misinformation in it that was given to these council-
24 men. It was used by them, one of them was Mr. Lindsey, I be-
25 lieve, who tried to use it to his advantage to keep Mexicans

from being elected in his area. Excuse me, not Mr. Lindsey.

Sometimes I get so uptight I—

CHAIRMAN SILLAS (interrupting): Are you referring to Mr. Snyder?

MR. MUNOZ: Yes, that's it, Mr. Snyder. He is my city councilman.

I have also here to give you to look over the City Council hearings where Mr. Lindsey and Mr. Mills, Black representatives on the City Counsel, seemingly and adequately calmed the reports by the Los Angeles City Police Department in this thing Mr. Snyder was giving out. I would like to show you the difference in terms. I also have another thing I would like to show you on a community meeting where Mr. Snyder was confronted with Chicano citizens from East Los Angeles and questioned about it, the difference between why we don't have anybody in the City Council, the types of questions relating to the slander of Mexican-Americans due to misinvestigations by the Los Angeles Police Department, the difference between what kind of questions were asked and the tone because one place we had Chicanos there, but no press, and at the other there was press but no Chicanos on the City Council.

I was going to go a little bit more into detail in my testimony about how directly that is involved, but I always want to look to the future right now.

CHAIRMAN SILLAS: Thank you, Mr. Munoz, for your

testimony and appearance here today. (Applause.)

1 The next scheduled witness is Dr. Julian Nava from
2 Los Angeles.

3 For the record, Doctor, will you state your name
4 and occupation, please.

5 DOCTOR NAVA: Thank you.

6 My name is Dr. Julian Nava. I am a member of the
7 Los Angeles Board of Education. I don't have prepared testi-
8 mony, just notes. I do have some material I can leave with
9 you, some supplementary material which I can leave with you
10 after my testimony.

11 When viewed nationally, I think there is no doubt
12 that public education has been used as one of the major tools
13 for perpetuating the lower class status of Mexican-Americans
14 throughout the country. Local control over school boards has
15 offered some apparent opportunity to meet these needs, but
16 Mexican-Americans all over the Southwest, where most of them
17 have lived until recent times, have found that it is extreme-
18 ly difficult to make use of this form of local control of
19 public education by virtue of the election laws established
20 by counties and states that make it difficult for Mexican-
21 Americans to vote at all. When they were able to qualify to
22 vote, they weakened their numbers by various means such as
23 gerrymandering. I believe the most common techniques that
24 robbed even large barrios of the potential for electing school
25

board members was gerrymandering. Another is that many school boards in the United States are appointive school boards rather than elected school boards.

The appointed school boards that 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 agri business. A particular way in which public education is being used as a tool for perpetuating the vicious circle in question has been the cultural conflict waged by the Anglos against Mexican-American children with respect to their language, their values, their culture and, in short, the inquisition of notions of cultural superiority on the part of the Anglo over the Mexican-American child at a time when the child in elementary school is virtually and totally defenseless and incapable of understanding, coping with or reacting constructively against the insinuations or the practices used by teachers and school districts.

Segregation is only one of the more blatant methods used by local school boards, elected or appointed. Very often it is practiced either genuinely in a misguided manner or blatantly openly as a way to perpetuate racial isolation. Arguments are often advanced still the Mexican-American children will learn better if they are amongst their own as against studying and playing among others. In short, by such techniques school boards throughout the Southwest have es-

1 established sharply different standards and goals for Mexican-
2 American children as against others, thus denying them equal
3 opportunity and destroying the spirit of the Mexican-American
4 child at the elementary school level so that before long,
5 certainly by junior high school, by puberty, in effect most
6 Mexican-American boys and girls have become willing accomplices
7 in the fulfilling of the prophecy offered by Anglo-American
8 school boards and teachers that their ability is lower and, there-
9 fore, it is to everyone's advantage to prepare them for various
10 rolls in life commensurate with their alleged native ability.

11 Thus, to recapitulate and give some additional ex-
12 amples of typical methods that I am aware of that school boards
13 have used to do these things to Mexican-American children, I
14 would cite segregation with unequal facilities, staff and pro-
15 grams, so-called Mexican schools still dot the entire South-
16 west and indeed other points of the country where these people
17 have moved.

18 Secondly, disposition to or disinterest in hiring
19 Mexican-American staff, the imposition of super qualifications
20 for Mexican-American staff is a more subtle form of discrimina-
21 tion. The use of other employees, non-Spanish speaking em-
22 ployees, in situations where only a native Spanish speaking
23 person could possibly do effective work.

24 The virtual absence until recent years of any efforts
25 to train or develop a Mexican-American professional staff and a

1 virtual ignoring of the F.E.P.C. statutes with respect to
2 Mexican-Americans.

3 Thirdly, the designation of tract systems which
4 clearly distinguish academic goals, standards for books,
5 qualification of teachers used and the use of faulty criteria
6 for examining or measuring the ability as well as the potential
7 of Mexican-American peoples, faulty criteria that rely exces-
8 sively on culturally biased assumptions such as, for example,
9 the use of exams that fail to measure the potential of the
10 Mexican-American peoples and intelligence exams, I.Q. exams,
11 that are culturally biased to the point where a young six or
12 seven year old Mexican-American child with little ability
13 when he comes from a native Spanish-speaking home will ob-
14 viously appear to be mentally retarded just like the son or
15 daughter of a native English-speaking child may appear to be
16 a Mongolian idiot, so to speak, if he were forced to take an
17 IQ examination in Mongolia.

18 Once these are registered in the students' files they
19 follows the student throughout his schooling, he is stereotyped
20 thereafter.

21 The suppression of Spanish in school affairs, rela-
22 tions with the community and in class, has also been used to
23 deliberately deprive the child of a positive self-image,
24 chances for success and, in short, the denial of learning.
25 Only very recently, parenthetically, have the more enlightened

educators begun to recognize knowledge learned in any one language is immediately transferable to any other language subsequently learned.

Another important way in which school boards have done violence to the educational means of Mexican-American children has been the deliberate misuse of local school funds, state and federal funds, directed or gathered to help meet the needs of minority or Mexican-American school children. One of the most common techniques—in fact, I would guess it is extremely common on the basis of spot checks I have made—is to take federal funds allotted to target areas schools as determined by various indexes of education achievement, allot these to target area schools, then remove from those schools that otherwise equal portion of local support in keeping with the amount of federal funds brought into that school in order to "equalize" the use of funds throughout the district. Los Angeles City Schools 4-1 has been guilty of this in the past, although, to my knowledge, it has not, since I have been on the board, this is no longer true. When one, however, multiplies this type of practice by the more than 1,000 school districts in California and the many more thousands throughout the Southwest, one can fairly guess that many billions of dollars in recent years alone since the establishment of federal support for local education, thanks to Sputnik, have been deliberately misused, and, indeed, illegally used, by local

school boards.

1 In a good number of these, there has been a flat
2 refusal to make use of state and federal funds gathered to help
3 to meet the needs of the American-Mexican school children be-
4 cause either local matching funds were required, in kind sup-
5 port, or where it was simply an outright grant from the federal
6 government and local school boards simply opposed in principle
7 any use of federal funds for education. This, in effect, it
8 seems to me, is denying equal protection to Mexican-American
9 children whose parents paid their share of all taxes collected,
10 and, it might be argued, even a disproportionate share of
11 taxes, in an age when millionaires, thanks to tax loopholes,
12 can avoid paying virtually all taxes.

13 I won't recite the litany of low education achieve-
14 ment among Mexican-American children, lower, indeed, than any
15 other minority group in the United States. I think you have
16 heard this before. However, your attention should be drawn to
17 the fact that lower class economic and political status, in
18 my view, is established primarily by low educational achieve-
19 ment and the conditions for lower class status in virtually
20 all respects in later life are really set before the children
21 leave elementary school. The control of virtually all school
22 boards in the Southwest by "Anglo-oriented individuals", most
23 of which are rural or small town in background, offers little
24 hope today, as in the past, that unless corrective legal ac-
25

1 tion is taken any substantial progress might be made to slow
2 down, stop or reverse the vicious circle which is now, in
3 effect, Beyond that, although a steadily decreasing number or
4 percentage of Mexican-Americans or of a migrant labor work
5 force type, there are, after all, probably several million
6 Mexican-Americans who depend upon migrant labor workers for
7 their livelihood. I am speaking of parents and children and
8 not just wage earners. This is again another area where the
9 need has not been met down to the present time.

10 National bodies such as yours have virtually ignored
11 the Mexican-American until very recent times. In contrast, as
12 a measure of this lack of concern, in contrast to Black Ameri-
13 cans for whom there are approximately 120 colleges, universities
14 and professional schools, although established in the main for
15 segregation purposes, there is not a single one for Mexican-
16 Americans. There is, in short, no Howard University, no
17 Tuskegee, no Brandies.

18 Philanthropy has also followed suit with far less
19 concern for Mexican-Americans than for other minorities. In
20 short, the hearing in which we are taking part today, as you
21 know, is rather exceptional. Nonetheless, education appears
22 to be more clearly in the mind of a Mexican-American an area
23 of prime concern. So, much to my surprise, at the first meet-
24 ing ever called nationally of Mexican-American school board
25 members in June 1969, we learned amongst ourselves that there

may be as many as 300 Mexican-Americans serving on school boards in the United States, at least on the basis of Spanish surnames. That number may be larger by virtue of the fact Anglos don't recognize the vast majority of Spanish surnames, which leads one also to say we are probably undercounted continuously. In California alone there are slightly more than 100 Mexican-American or Spanish surname on school boards, school board members who have now begun to meet and to co-operate and work for the first time after that meeting in October 1969.

We have concluded there is little prospect where school boards are appointed that local powers to be are not interested or willing to appoint Mexican-Americans. 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 collitions 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 really a rosy picture, as I see it, for the future, although there are a little more than 100 Mexican-American school board members in California. It may sound impressive, but it is infinitesimally small in relation to the proportion of Mexican-American school children com-

prising the school-age population in our state.

To conclude, education is the final hope for educational, social and economic opportunity and because of the failure of federal, state and local bodies, and, indsed, much of the leadership in Mexican-American communities, The previous speaker exemplified young Mexican-Americans who are on the march. The walkouts that occurred in Los Angeles schools in March 1968 have been echoed throughout the Southwest. Young people, thanks to better communications, are better organized and more sophisticated. Mexican-American educational needs are still basically unmet despite the considerable and numerical progress that can be pointed to in proportion to the population and considering the fact that California for one is increasing at twice the rate of the rest of the population, we are actually, therefore, loosing ground.

Thank you very much. (Applause.)

CHAIRMAN SILLAS: Thank you, Dr. Nava.

Mr. King.

MR. KING: We have been focusing the last couple of days on a number of various concerns. You have very aptly and eloquently described the problems involved in education. We have talked about fair employment practices, police-community relations and other areas. There seems to be a focus here upon politics, political representation, political activity, as a means of bringing about some degree of change in these various

1 areas. As an elected school board member in Los Angeles, do
2 you feel that it is practicable that we should give hope that
3 there will be changes brought about through the political sys-
4 tem as a result of the election of Mexican-Americans or the
5 political activity of Mexican-Americans within our society?

6 DOCTOR NAVA: Oh, yes. To begin with, no one is
7 competent to say there is no hope. I happen to think on a
8 practical basis that there is hope, although I may have sound-
9 ed pessimistic when I said we are losing ground in proportion
10 to our need and in proportion to our number. I think groups
11 like the Commission can do a number of things that will
12 create more equal opportunity, which is really all that I
13 think of the speakers who have come before you want. We are
14 not here for a handout, we are not here for a special favor.
15 I think the prospects for improving the conditions through the
16 electoral process would be assisted if you continue your in-
17 vestigations. This should not be the end of what you do. You
18 have been making a general study of a very large problem. If
19 you then publish your findings as widely as possible, if you
20 expose the misuse of laws, the misuse of funds, denial of
21 equal opportunity, if you make suggestions for legislation at
22 the national and local level, if, in short, we create a greater
23 awareness of where the stumbling blocks have been built which
24 we find so difficult to overcome, you don't have the authority
25 to change something nor do I by myself, I must get three other

1 votes on the board of seven, you see. No matter how right I
2 think I am, if I don't get three other votes I simply have to
3 wait until I can. We can, however, all of us can expose and
4 inform the public as to what we can do to change the electoral
5 process. This is ultimately the hope that lies before us and
6 the only hope.

7 MR. KING: I am wondering if, based upon numbers and
8 based on educational disadvantage, based on racial attitudes,
9 if it isn't going to require an attitudinal change on the part
10 of the Anglo community before you are going to get that kind
11 of equal opportunity?

12 DOCTOR NAVA: Yes, I think so, because I think our
13 problems really, in a sense, are not really our's, our problems
14 are their's. In other words, the stereotype of Mexican-
15 Americans on radio and television has been imposed upon us.
16 We did not choose to be pictured that way. You are right. I
17 think the Commission has contributed mightily on a comparative
18 basis with other organs in government to change this image
19 and stereotype. This will take place only, however, if all
20 of us concerned bring this about. I think there are also some
21 natural forces at play that will help you and help us, so to
22 speak. I think this is the shrinking importance of the United
23 States in the world, our greater dependence upon other na-
24 tions, and, in short, the loss of effectiveness of our eco-
25 nomic and political and military power within the world. The

1 best evidence of this is by our having been forced to fight
2 to a stalemate in Korea and now being forced to slip out of
3 Vietnam as well as we can. I think more and more people in a
4 general Anglo community, which includes Blacks, Jews, Orientals,
5 in our mind, in and out groups, more and more people are recog-
6 nizing what Mexican-Americans have been saying all along, both
7 politely and impolitely, was really true, that the cultural
8 diversity we represent is really a strength and really an
9 asset that we should draw upon. The change in attitude, how-
10 ever, as a result of changing conditions in the world will not
11 come about fast enough and we have to take issue and accelerate
12 it.

12 CHAIRMAN SILLAS: Mrs. Kuchman.

13 MRS. KUCHMAN: I just want to make one comment. The
14 testimony we have received has painted a very bleak and pessi-
15 mistic picture. This has been essentially in the political
16 participation level and you have touched more greatly upon the
17 educational scene. I think we should take what optimistic
18 notes there are and is it not your opinion that with the elec-
19 tion of a new superintendent of instruction, who for many years
20 was responsible for a very adequate compensatory education di-
21 vision in the State Department of Education, there at least lies
22 more hope of receptivity of understanding or possibly the nur-
23 turing to a more correct position or role or point of view of
24 the Mexican-American child that there might have been, that at
25

1 least now there is some hope for the long run, not for tomorrow,
2 but for the long run, because we can be more hopeful about the
3 education picture?

4 DOCTOR NAVA: I think you are correct. I think the
5 election of Dr. Riles is very, very encouraging from every
6 standpoint. I think it is also true, as dark as the picture
7 may appear to be, that there is increasing awareness on the
8 part of educators nationally that Mexican-Americans have cer-
9 tain educational needs. For the very first time this last year
10 the National Educational Association, at the urging of myself
11 and some other Mexican-Americans who are members, had its first
12 session or panel on the Mexican-American in 1970. So a number
13 of good things are happening. We find that as of as late as
14 five years ago there wasn't a single department of Mexican-
15 American or Chicano studies in California. Now there are a
16 little over 30, depending on how you count, departments of
17 Chicano studies. That is more than there is in the rest of the
18 country combined. One can hope that in four or six years, many,
19 many hundreds, and indeed, thousands, of Mexican-American youths
20 will be graduating better trained professionally to meet the
21 standards they are forced to meet. Though there are a number
22 of very encouraging elements, I simply want to say good things
23 won't happen by themselves.

24 MR. MONTGOMERY: Dr. Nava, I have two questions. Do
25 you feel that the decentralization of school board control,

1 breaking it down into the local community and giving it, say,
2 to the barrios, will help eliminate some of the inadequacies
3 in education you pointed out? Secondly, what, if anything,
4 has been done in your community about bilingual instruction
5 in the early elementary grades?

6 DOCTOR NAVA: Let me take the first question. The
7 Los Angeles school district is currently engaged in the
8 historically large and deep study of decentralization in the
9 school district. I would guess, on good authority, because
10 I am right in the middle of development of it as board presi-
11 dent this year, we will decentralize. Decentralization, how-
12 ever, will not be along the lines of the Hermann Greene
13 Bill SB-242, which was really partition in effect, but will
14 combine the advantages of bigness with the advantages of some
15 degree of local control. I believe if you simply divided
16 school districts throughout the Southwest and gave them their
17 own school district, it would also mean you wouldn't have a
18 tax base. You would also find it very difficult to get a trained
19 staff to conduct education. I have found in my view the best
20 combination is to view decentralization as a means by which
21 you preserve the advantages of a large tax base, state and
22 federal support of general policies, then as many decisions
23 placed in the hands of principals, students—and I want to
24 underscore students, they have more sense than adults do in
25 many respects these days—teachers and parents.

1 In the second case, Los Angeles for one, and, of
2 course, some others in the Southwest, have come around to
3 trying innovative programs with respect to bilingual education.
4 Almost all of them are extremely encouraging. Some of them are
5 just so wonderful that you have to see them to believe them.
6 I have been in several in San Diego, for example, South San
7 Diego, where Anglo-Mexicans, as they are called there, and
8 Black kids in elementary grade courses are jabbering away in
9 Spanish and English interchangeably simply because the two
10 languages were used at the outset without telling the children
11 it was complicated, difficult or un-American. The Spanish
12 speaking children speak English with less of an accent and
13 other non-Spanish children speak Spanish without an accent.
14 What is happening in Bern, Zurich, Amsterdam, throughout the
15 world where children have learned two or three languages
16 simultaneously, this is beginning to happen in some of the
17 public schools.

18 CHAIRMAN SILLAS: Mr. Glick.

19 MR. GLICK: I just have one question, Dr. Nava. We
20 have heard testimony here yesterday and today about different
21 means of political activities. In that context I would like
22 to ask in your opinion if the student protest among high
23 school students a couple of years ago in East Los Angeles had
24 any permanent effect or gained any permanent benefit in terms
25 of the educational process for them?

1 DOCTOR NAVA: I am caught in the middle as a school
2 board member and a member of the community. I think the walk-
3 outs did more in 1968 than I had been able to do in a given
4 school district. I think unfortunately that school boards have
5 been shocked into the realization that they must do things
6 differently today more by walkouts and threats of walkouts
7 than they have by persuasion or data. I think, however, the
8 tide has been stemmed, so to speak, or turned. More and more
9 school boards are beginning to recognize Mexican-American ed-
10 ucational needs, admit them, and, I think, this, therefore, is
11 a dawn of a new era.

12 CHAIRMAN SILLAS: Father Casso.

13 FATHER CASSO: I have no questions.

14 CHAIRMAN SILLAS: Mr. Gabourie.

15 MR. GABOURIE: I have no questions.

16 CHAIRMAN SILLAS: Thank you, Dr. Nava, for appearing
17 before the Committee. Did you say you had some notes?

18 DOCTOR NAVA: I have some I will leave for your in-
19 formation.

20 CHAIRMAN SILLAS: Thank you very much.

21 We are running a little late. The next witness will
22 be Councilman Thomas Bradley from Los Angeles.

23 For the record, will you state your name and occupa-
24 tion, please.

25 COUNCILMAN BRADLEY: I am Thomas Bradley, City Coun-

cilman, City of Los Angeles.

CHAIRMAN SILLAS: Do you have a statement for us?

COUNCILMAN BRADLEY: Mr. Chairman and Members of the Committee, I am pleased to be able to speak to you. I appreciate the fact that you are running behind and in the interest of time I am going to paraphrase partially what I have in my prepared remarks. I will have them available for you. I am going to deal principally with the question of political representation. Because I am a locally elected official, I want to deal with the local situation.

I don't think I need to recite for you the statistics for you. You have heard them before in your hearing and I am sure you will hear them again, the percentage of Mexican-Americans in the state and locally in contrast to the small percentage of representation in our legislative bodies. That is true throughout the state at every level. We can even extend this to the matter of appointive positions in the state and local government.

I would like to turn to the question of what is the problem at the local level. I would like to use my own city, Los Angeles, as an example. In our county there is a board of supervisors of five members representing a population of over seven million people with perhaps the largest collection of Mexican-Americans anywhere outside of Mexico itself. Not one member of the Mexican-American community is represented.

The City Council of 13 members has no Mexican-Americans on it or members of the Mexican-American community. We can argue about the figures—and I am not interested in doing that at this time—but there is a substantial number of Mexican-Americans in Los Angeles. They are the second largest minority group in the city and they are without representation. This does not come about by accident. 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 the 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.

We once had a member of the City Council, Ed Royal, who is now a member of Congress, and since his departure to the Congress, we have not had a Mexican-American serving on that 15-member council. Again, it is a question of how the lines were drawn. I think we have to be realistic and say there is an incumbency factor and when there are 15 incumbents, nobody wants to have his district cut in such a way as to make it more difficult for him to be reelected. So we have to deal with that as a political reality.

1 I think there are ways in which we can even solve
2 that kind of problem. We would say in Los Angeles we could
3 simply expand the City Council by two seats and have 17 in-
4 stead of 15. In line with not only that need, but in line
5 with the logic of the whole thing, here in a period since 1925
6 the City Council has not been increased, yet the population
7 has grown from about 500,000 to almost three million. In
8 every respect I think there was justification for increasing
9 the number of members on the City Council. Had that been done
10 I think the chances would have been extremely good someone
11 from the Mexican-American community could have been elected.
12 That community was not asking for a gift, they were not asking
13 for a special favor, they were not asking for a guarantee they
14 be given a district, just a fair opportunity. I think the
15 lines could have been drawn to give us 17 seats and someone
16 from the Mexican-American community could have been given a
17 seat by election.

18 There has to be a change to bring this about and
19 there was great resistance to the idea in the first place
20 and we failed by one vote in getting the necessary support to
21 put it on the ballot as part of the revision of our charter.
22 Even that failed, but for other reasons. We could not get
23 eight members willing to do that. It was one short. Instead
24 we finally had to take a substitute and that was to put it
25 on the ballot as a separate issue and tie it to the main

1 charter reform. If the main ballot issue failed, no matter
2 how many votes the expansion got, it couldn't win. The cards
3 were stacked against us from the very beginning. At least
4 that was our initial step. It is my hope we will have a vote
5 on the charter again in May, the charter proposal to revise
6 that charter, and hopefully again this matter of expansion
7 of the council will make possible the election of a Mexican-
8 American.

9 There are any number of reasons why I think it is
10 important. There is the question of having a representative
11 who best understands and who best can articulate the needs
12 of a particular and very large minority group in the city.
13 We had that same need, we had that same pride in the black
14 community and we finally achieved our goal. I think now is
15 not the time for us to stop. I think that principle still
16 applies with respect to the second largest minority group
17 in the city. I think we must continue with that effort.

18 Beyond the sheer matter of that kind of understand-
19 ing ~~at~~ the difficult problems and ~~the~~ unique problems that
20 are affecting that particular community and I think you can
21 not understand them without having had the experience in just
22 the every-day kind of things that occur. I have seen this
23 happen with respect to the problems in my own community. I
24 know that having saw it there many things were stopped, many
25 ideas were offered and adopted just because I sat there or

three members of the Black community sat there on that council, the Executive Committee as well as the entire council.

But beyond that I think there is a kind of sense of pride that we need to engender in all of our people, a sense of pride at being able to point to a member of one's community and say, "There sits John Jones, representing the Black community," or "There sits Julian Nava representing the Mexican-American community." There is a sense of pride that must come to every youngster who sees that. There is a sense of somebodiness that goes with that kind of experience. There is a motivation that I think cannot be engendered any other way except to show by example this kind of success stories. That youngster who sees the election of a member of his race to an important post, then begins to realistically hope it can happen to him. He may work harder in school, he may prepare himself even better to some day hopefully achieve the same position.

That, I think, is why we must fight so hard for this kind of representation.

I don't think we need any more studies, I don't think we need any further fact findings. The facts are very clear. The effort has been deliberate far too long, the exclusion is very clear from the record. I think what we must do now is if we are going to make the democratic process meaningful, there are so many who are now alienated from it, we are simply going to have to find opportunities for every segment of our popula-

1 tion to be adequately represented at every level of govern-
2 ment, elective and appointive. I think what you are doing in
3 your hearing is very important because you are shedding light
4 on this very problem. There are far too many people in this
5 country who do not see this as a problem and who do not under-
6 stand it in any way. Until we get that kind of public aware-
7 ness, we will never be able to take the next step toward find-
8 ing the solution. I say the time is now if we are going to
9 bring into the mainstream of the democratic process this very
10 substantial segment of our population. It is my hope your
11 efforts today and your efforts hereafter will contribute to
12 that kind of involvement.

13 Thank you very much. (Applause.)

14 CHAIRMAN SILLAS: Thank you, Councilman Bradley.

15 Mr. Gabourie.

16 MR. GABOURIE: Do you have any figures, Councilman
17 Bradley, on the odds an incumbent would be reelected as far
18 as the City of Los Angeles is concerned?

19 COUNCILMAN BRADLEY: We hear there is a built-in
20 factor of anywhere from 12 to 20 per cent he is automatically
21 going to get just because he is an incumbent. I think beyond
22 that it is awfully hard to know what the value of the incum-
23 bency is.

24 MR. GABOURIE: The reason I ask is apparently most
25 of the members of the City Council have been so darn unrespon-

sive to the Mexican-American community in the City of Los Angeles. Maybe rather than to wait for an increase in the councilmatic seats it would be advisable to move some of the incumbents.

COUNCILMAN BRADLEY: The incumbents, as I tried to point out here, is—

A VOICE (interrupting): I hate to interrupt your party here, but I would like to extend an invitation to all of the members of the Commission to help us by coming out and picketing. We are just about ready to go out and picket and make ~~dam~~ certain the Legislature understands our position and what we demand from this board and from the Legislature. (Applause.)

We are not here for a lollypop and we are not going to accept a lollypop. Everything that was presented to you is not a presentation. It is a demand from the Chicanos. We would like to have you with us.

COUNCILMAN BRADLEY: In response to your question, I think the general public is simply not aware of the gravity or the urgency of this problem. You cannot stimulate them to throw out of office a man who represents them because there is not a substantial Mexican-American population in their district. That is your problem.

MR. GABOURIE: Thank you very much.

CHAIRMAN SILLAS: Father Casso.

1 FATHER CASSO: No. I think that he has said enough.

2 CHAIRMAN SILLAS: Mr. Glick.

3 MR. GLICK: I have no questions.

4 CHAIRMAN SILLAS: Mr. Montgomery.

5 MR. MONTGOMERY: We have heard some deep and moving
6 expressions about the Mexican-Americans desiring to participate
7 in the politics and power structure. I wonder if in your com-
8 munity there is any organized effort on the part of the Blacks
9 to assist them or are they going their separate ways?

10 COUNCILMAN BRADLEY: In all candor I would have to
11 say there is no true unity of effort. It is unfortunate be-
12 cause our problems are together and we should be working to-
13 gether to try and solve them. Some of us are working very hard
14 to bring about this kind of understanding and build that kind
15 of coalition. I must tell you as co-chairman of the State
16 Reform Commission for the Democratic Party, we will present a
17 report this weekend. It is our hope our party will accept the
18 essence of what we are suggesting to them. It views this
19 matter of a wider spectrum of people being involved in our
20 Democratic Party. If we can pass it, it is our hope that we
21 will be able to get the Republican Party to follow suit, Bill.
22 We think it is the way of the future, to broaden the base of
23 involvement, of participation, and to thus help to take care of
24 some of these problems. This matter of representation is
25 another element of our report. We are keenly aware, those of

us who are working in various levels of leadership, we are
1 pushing as hard as we can to bring these things about.

2 MR. KING: I would like to ask Councilman Bradley
3 one question. From your experience in the Black community of
4 Los Angeles, are there any measures that were taken in the
5 early 1960s to achieve or help achieve some measure of politi-
6 cal activity and participation that is relevant to the Chicano
7 community today?

8 COUNCILMAN BRADLEY: I think ours was a long history
9 that led up to the explosive 1960s. It was simply an accumula-
10 tion of this kind of frustration that boiled over. Just as
11 Julian Nava suggested in the school walkout, it was finally
12 dramatized to the point where the school board couldn't ignore
13 it any longer. With all the unpleasant sides to the riots
14 in Watts in 1965, I think we would have to conclude some good
15 things did come out of it. Incidentally, after that explosion,
16 the public at large could not any longer ignore the problem,
17 something had to be done. We are not suggesting all the solu-
18 tions were found, but I think greater strides were made fol-
19 lowing this kind of thing than had been made 20 or 25 years
20 prior thereto.

21 I think our evolvement, what we came to call a
22 community endorsing convention, was another process that
23 helped us. We tried to select our own best candidates for
24 various political offices. Once that man or woman was chosen,
25

everybody got behind him. The other candidates simply withdrew or they didn't get any support. As a consequence, instead of splintering the vote, we were able to build solid support behind the one best individual. In some cases it brought about victory. Mine happened to be the first of the community endorsing convention. That success story, I think, helped us to do it over and over again. I think it is applicable in the Mexican-American community. As a matter of fact, they are already doing that with the Congress of Mexican-Americans.

CHAIRMAN SILLAS: Thank you, Councilman Bradley, for appearing before our Committee this afternoon.

Our next scheduled witness is Mr. Robert Garcia, Staff Assistant to Speaker Robert Moriaty.

Will you state for the record your name and occupation.

MR. GARCIA: I also teach at Sacramento College and I have been working on a project that is related to the very things we have been discussing this afternoon.

Specifically, most of us here are very concerned with the project of the task of electing more Chicanos to an elected post in this state. We have to ask ourselves why there are two and one-half million Chicanos in the state and only two assemblymen and no state senators. We have a potential reservoir of almost 800,000 people who could become eligible to vote.

1 We have to ask ourselves an additional question and that is
2 can we identify any arbitrary barriers that have kept us from
3 electing more Chicanos, and I say we can. I say those arbitrary
4 barriers are in this little red book which is the
5 Election Code for the State of California. For the last
6 three months on my own time I have been going through this
7 Code, page by page, section by section, chapter by chapter,
8 and I have drafted about 30 bills.

9 I should also like to acknowledge the assistance
10 of Phil Isberg, who I consulted with on this matter.

11 This Code was written with the premise it ought to
12 be difficult for people to vote. I think we need to change
13 that. We have to reverse that and all the other things we
14 have been talking about like gerrymandering and the relationship
15 between finances and electability. The answer to all of
16 those problems is within this book and this is where the
17 changes have to be made. That is what we have been trying to
18 do.

19 Let me give you some examples that have already
20 been mentioned by the speakers. I will condense my comments.

21 The whole system of voter registration is not only
22 cumbersome, but it is inefficient. Let's look at a couple of
23 things. Let's take a person, say, in Blythe, who lives, you
24 know, over 200 miles away from the County Seat of Riverside,
25 which is the City of Riverside. Let's pose a hypothetical

that there are no deputy registrars in the City of Blythe.

The only option he has if there is no convenient place for him to register in Blythe, with the absence of any deputies, he has to travel 200 miles to the County Clerk's office in Riverside.

As I suggest, and other people are suggesting, why not develop a system of mail registration. This would greatly help farm workers and the rural Chicanos. All they would have to do is fill out a postcard, get an application for registration via the mail from the Clerk, fill it out and send it back. These are things that have worked against us.

What about purging? There is a general myth held by many people that a person can only be purged because of failure to vote in a general election. That is not true. You can be purged for failing to vote in a primary also. In Riverside County in the last primary election in June of this year, 10,000 people were purged because they did not vote in the primary election in June of this year. A lot of those people were farm workers who leave Imperial Valley at that time, Cochilla Valley, northward to work the San Joaquin Valley and the Sacramento Valley. They can't leave a forwarding address because they never do stay in one place very long. They stay two or three weeks and move on.

The County Clerk when the sample ballot of disbursement is returned to him sends a double postcard to the address

1 of that person. Of course it is not returned within the re-
2 quired 30 days and the person is removed from the eligibility
3 vote list.

4 We drafted legislation that says we should have
5 permanent registration. That is the ideal solution, but that
6 is not going to come about and we know that. This is the next
7 best thing, purging only after the general.

8 Other than that, we have talked about residency
9 requirements. California plain and simple has to make their
10 residency requirements conform to the new national ones which
11 are 30 days. Many County Clerks, based on a precedent set in
12 a case in 1966, are now registering ex-felons. If people
13 aren't aware of that, County Clerks aren't likely to do that.
14 You have to put pressure on them.

15 In regards to abolishing all language and literacy
16 requirements, that has been done with the 1970 Voting Rights
17 Act. Beyond that, though, I think just saying a person has
18 to be literate, fluent in English to vote, we have to print
19 ballots in Spanish. It doesn't make much sense for a person
20 only literate in Spanish to try and read an explanation of
21 a proposition in English. I have a difficult enough time
22 trying to understand those. I think the argument if you do
23 it for Spanish-speaking people, you have to do it for all
24 ethnic minorities, can be dispelled by imposing some kind of
25 numerical formula such as whenever 10 per cent of the electorate

1 speaks a certain language, since they are taxpayers, you can
2 develop a case for suggesting it is a needed law and we intend
3 to do that.

4 Just in general there are a lot of things in this
5 Code which are not common knowledge. For example, very few
6 people have ever known about the procedure for being asked to
7 serve as a precinct official on election day. The procedure
8 is this. Anybody who is qualified to be an elector is quali-
9 fied to serve at the polling place on election day. The County
10 Clerks in this state don't publicize that fact. You only find
11 that out if you go to the County Clerk and you ask him that.
12 That is the vestige of boss politics, machine politics, What
13 they should do, ~~and~~ we are drafting legislation here again to
14 mandate the County Clerks to insert a notification in a sample
15 ballot envelope of the privilege of every electorate to serve
16 at the polling place on election day. Just in terms of letting
17 other people know about some of the, well, not well-known pro-
18 visions of the Code, I suggest disseminating that kind of infor-
19 mation to other people would help rectify the whole problem.

20 I was suppose to make some comments on lobbying and
21 I am trying to make my comments as brief as possible.

22 With regard to lobbying, I have been on the staff here
23 in the Legislature for about a year and a half. When I first
24 arrived here MAPA was the only Chicano associated organization
25 that had a lobbyist on an on-going basis. What we have now in

1 the absence of a lobbyist is what I call a, well, whenever
2 there is a pressing issue the people respond, they stay for
3 a few days and then they leave. This is the kind of place
4 where you have to be here, you have to watch so many things.
5 You cannot do it by coming two or three days and then leaving.
6 You have to be here constantly. So there is a need for that.
7 There is a need for lobbying. There is a need for an infor-
8 mation disseminating center with the headquarters here to keep
9 track of all bills that are of interest to Chicanos and to
10 spread this information all over the state. The mechanics
11 and details of financing would have to be worked out, but
12 I think that is a general plan that would be workable.

13 That is all I have.

14 CHAIRMAN SILLAS: Thank you, Mr. Garcia.

15 Mr. King.

16 MR. KING: Mr. Garcia, how is it going to be pos-
17 sible for the Mexican-American community to gain greater repre-
18 sentation in the State Legislature this year and next year?

19 MR. GARCIA: I belong to a group here in Sacramento
20 that is called COPA. Our operating thesis is this is a system
21 that is not noted for its benevolence and it responds only
22 when stimulated. You have to take the answer to our desire
23 to have more Chicano elected officials, to take the matter in
24 our own hands, plain and simple, that is understanding election
25 laws and demonstrating a willingness to work. That means

1 registering every Chicano in the state who is eligible to
2 register. That is the floor needed to build everything
3 else on. If we don't have that, we can just talk about all
4 the other problems and all our discussion will bear no results.

5 MR. KING: How do you get the lines drawn so that
6 Chicanos aren't a minority in every district?

7 MR. GARCIA: That is related to the nature of repre-
8 sentation.

9 MR. KING: That is right.

10 MR. GARCIA: You are not going to change—let's
11 fact it, you are not going to change the way the lines are
12 drawn. Let me suggest something. If had 10 or 15 Chicanos
13 up here in the Assembly and more up in the Senate, I would
14 suggest gerrymandering of Southeast Los Angeles would not
15 be accomplished as readily as it is now. The only way we
16 can change this is by getting more people elected. A lot of
17 people approach it the other way around. I don't.

18 MR. KING: Aren't you an assistant to the Democratic
19 leader in the Assembly and isn't it the Democratic leadership
20 which is going to—I hate to use the term—gerrymander this
21 year—why don't you do a little gerrymandering for the Chi-
22 canos?

23 MR. GARCIA: Right. Let's face it, the staff has—

24 MR. KING (interrupting): That is what we are trying
25 to do, face it.

1 MR. GARCIA: I guess Joe Jimenez and Joe Cerna are
2 just a handful of Chicanos who are up here and at every op-
3 portunity we express the need for an equitable reapportion-
4 ment. Whether or not our advice is heeded, that is not the
5 question. We need help.

6 A VOICE: We need help.

7 CHAIRMAN SILLAS: Mr. Montgomery.

8 MR. MONTGOMERY: No questions.

9 CHAIRMAN SILLAS: Mr. Glick.

10 MR. GLICK: Mr. Garcia, even if you got every
11 Mexican-American in the state registered to vote, wouldn't
12 there be some problem or do you think there might be some
13 problem in electing Mexican-American candidates within the
14 framework of the rapidly rising cost of campaigning through
15 the media used now, do you think that will have any effect in
16 the future on the elections?

17 MR. GARCIA: Certainly it is an abstacle. The
18 answer to that question is in this book, too. More and more
19 one of the criterias imposed in determining whether a candidate
20 is seemingly desirable is one of two things. He has access
21 to his own finances and, two, his ability to raise money.
22 There aren't that many wealthy Chicanos. There aren't that
23 many Chicanos who can raise, you know, two or three million
24 dollars to run a gubernatorial election or \$100,000 to run a
25 councilmatic election. That whole area has to be reformed.

FATHER CASSO: Who did the gerrymandering?

MR. GARCIA: The Democrats did it.

FATHER CASSO: Do you see it as a need to rectify?

MR. GARCIA: Obviously I do or I wouldn't be doing all of this work or be here if I didn't.

FATHER CASSO: What recommendations do you have to the Democratic Party to see that those lines are gerrymandered back so our people can vote?

MR. GARCIA: That is COPA, Chicano Organization of Political Awareness. We are making the same recommendations you are.

FATHER CASSO: Very fine. Are you going to approach the party in power to assist you in doing this?

MR. GARCIA: I intend to do that.

FATHER CASSO: Testimony was given to us yesterday by the Chairman of the Reapportionment Committee from the Assembly. Did you hear his testimony?

MR. GARCIA: Yes.

FATHER CASSO: We asked him if he had a staff and we asked him if he intended to hire a Mexican-American on his staff. Did you hear the response?

MR. GARCIA: Right.

FATHER CASSO: Do you feel it is essential to have a Mexican-American having the same kind of input you are having on that very important Committee?

1 MR. GARCIA: I sure do and I wish that Committee
2 would have done the same thing as the Senate Committee did and
3 that is hire a Chicano on the staff.

4 FATHER CASSO: Will COPA make that recommendation?

5 MR. GARCIA: Yes. We have already suggested that.

6 FATHER CASSO: When we talked about his Committee and
7 you heard his testimony, did you really feel he felt a need and
8 awareness and appreciation of doing something about the lines?

9 MR. GARCIA: That is a difficult question for me be-
10 cause you are asking me to interpret his intent.

11 FATHER CASSO: No, just what he said is all.

12 MR. GARCIA: It could have been stronger, let me put
13 it that way. (Laughter.)

14 Let's be realistic about this and that is why I am
15 approaching this thing the way I am. The number one thing
16 people keep in mind when lines are redrawn is protecting in-
17 cumbents. A lot of times that means incumbents of both parties.
18 All I am saying is this system is not benevolent and it re-
19 sponds to pressure only. So we can sit here and ask people to
20 redraw the lines in a more equitable fashion the next hundred
21 years and if we don't do something about it ourselves, it is
22 not going to be done. You know, I am not willing to wait,
23 COPA is not willing to wait any more for something to happen
24 to make things easier for us. We want to attack the thing the
25 way it is right now.

1 FATHER CASSO: Well, I can see a dilemma which adds
2 to frustration. You can do all the changing of the Election
3 Code you want to get more people capable of voting to get out
4 and actually vote, but it only adds to the frustration, it
5 doesn't do any good, they can't elect an official.

6 MR. GARCIA: That is right.

7 FATHER CASSO: Would you bring that to the attention
8 of the guy you work for?

9 MR. GARCIA: Yes, I will.

10 CHAIRMAN SILLAS: Mr. Gabourie.

11 MR. GABOURIE: I have no questions.

12 CHAIRMAN SILLAS: Mr. Garcia, there was testimony
13 yesterday pertaining to the hiring of Chicanos by the Legis-
14 lature. The witness testified that the F.E.P.C. rules and
15 regulations do not apply to the Legislature. You have been
16 here in Sacramento for some time now. What has been your ob-
17 servation in terms of the hiring of Chicanos by members of the
18 Legislature?

19 MR. GARCIA: Let me say when I first arrived here—

20 A VOICE (interrupting): Really, Mr. Chairman, this
21 is another interruption which is really directed at the Demo-
22 cratic Party and its nominal head, Mr. Unruh, who is here to
23 testify. We thought he was here. We want to point out our
24 main attack of this presentation here and our walkout is di-
25 rected against the Democratic Party and its shenanigans over

1 the years. He was the Speaker in '65, he was a candidate for
2 Governor during the last election, and ~~is now~~ against the State
3 Legislature over which he still has a lot of control.

4 A VOICE: We don't want the Faciest Pig anyway.

5 MR. GARCIA: Let me answer your question. The
6 staffing situation remains almost identical to what it was
7 when I arrived here a year and a half ago. There are no more
8 than five or six Mexican-Americans on the staff. There are
9 more Mexican-American secretaries, sergeant-at-arms, messengers,
10 than when I arrived, a slight increase from when I arrived.
11 There were about 34 of us on the staff as compared to seven or
12 eight. I think you have to keep in mind, as it has been men-
13 tioned, this building is not under purview of Civil Service
14 Regulations so that puts it in a different light. Getting to
15 the Legislature, obtaining a job here—

16 CHAIRMAN SILLAS (interrupting): May I interrupt,
17 please?

18 Would you indicate on the record that outside in the
19 hallway there is a gathering of—there is yelling and words
20 coming from the hallway of Chicano power.

21 Thank you, Mr. Garcia, and would you proceed.

22 MR. GARCIA: In essence, what I am suggesting, it is
23 very difficult to walk off a college campus and get a job here.
24 There is still some semblance of patronage around here, every-
25 body knows that. You become a person's aide by working on his

campaign or having demonstrated skills that he noticed. There
1 are several internship programs in the Legislature that have not
2 been taken advantage of by the Chicanos, not through any fault
3 of their own because they haven't been publicized well enough.
4 So that is one way they can correct this lack of staff. That
5 is the way I came. I was a California Legislative intern for
6 a year and I stayed on while I was doing graduate work on the
7 staff as a student here in Sacramento at the same time. That
8 is probably the most accessible channel, for instance, to staff
9 positions here.

10 CHAIRMAN SILLAS: Yes, Father.

11 FATHER CASSO: You raised the question that you have
12 available the internship program here in the Legislature.

13 MR. GARCIA: Yes, there are several.

14 FATHER CASSO: We heard testimony yesterday that it
15 was almost impossible for a Chicano to get into the internship
16 program. Now you say it is the Chicano's fault because he
17 doesn't do it.

18 MR. GARCIA: The internship program, one of the
19 criticisms of it has been there is too much emphasis on academic
20 achievement to the point of almost being absurd. That, we have
21 been assured for the last couple of years, is changing. We
22 will see. There are other internship programs coordinated by the
23 state college system and another coordinated by the university
24 system. They were available during the year and during the summer
25

mer session. at UCLA, Santa Barbara, and others always have several students here during the summer months. The American Political Science Association has an internship program coordinated—

FATHER CASSO (interrupting): I am not talking about the programs available. I am talking about the inability of the Chicano to get into those programs. If it is bad in the Legislative program, it must be worse in the colleges. That's all.

MR. GARCIA: I don't know about the details of the other programs. My contention is two things. No. 1, you are probably right. No. 2, another fact is the existence of a lot of these internship programs are not publicized well enough and that is also a factor.

CHAIRMAN SILLAS: Thank you, Mr. Garcia, for appearing this afternoon.

Our next scheduled speaker is Mr. John Moulds of Sacramento.

Mr. Moulds, would you state for the record your name and occupation, please.

MR. MOULDS: John Moulds, III. I am an attorney in practice here in Sacramento.

Mr. Chairman, Gentlemen.

When I was asked to testify, I was not aware of the fact my testimony in a large part would duplicate the testimony

1 of Mr. Garcia who preceded me. I was asked to speak on the
2 impact of the Election Code and possible changes with regard
3 to the voting power of minority groups in general in the State
4 of California.

5 A large portion of what I prepared to say to you to-
6 day had to be scratched off as Mr. Garcia went down the list.
7 If you want to direct anything to that, I would be happy to
8 answer any questions I might be able to. I would mention one
9 thing, then, that I think was possibly not developed fully in
10 raising the question about reapportionment. I think Mr. Garcia
11 properly identified the major problem of asking men holding
12 office to vote themselves out of office when considering re-
13 apportionment. When considering the tremendous impact to be
14 made on the voting strength of the Mexican-Americans by a
15 reasonable set of registration and voting laws in California,
16 I think this should not be overlooked as a possible source of
17 substantially increasing the political power of several minori-
18 ty groups in California and in depressed economic groups in the
19 State of California.

20 The second thing is that gerrymandering in local
21 elections is not often as sophisticated as it is in statewide
22 office holding. I think it is well worth considering that a
23 substantial increase in voting power in this state can begin
24 to reflect itself first in changes in the composition of local
25 boards and commissions and councils and that this can be a ve.,

1 important building block in the building of political power
2 in a system. This system is no different.

3 I broke things down into three general areas. First,
4 the language and literacy requirements. It is my own view it
5 is time for us to face up squarely to the fact literacy ought
6 to go entirely as a requirement. It is no longer true that
7 reading is necessary as an accompaniment to casting a vote in
8 the modern media.

9 There are certain other things that are not always
10 thought of as part of the general literacy problem. The first
11 thing that ought to be considered is the requirement of English
12 literacy, as I understand it, for citizenship which provides
13 a substantial bar to a number of people. I suspect this is a
14 group which is more represented in rural California than urban
15 California, that is, a greater percentage of the local elec-
16 torate. It might have more impact in the Valley than it would
17 in the city, but I am not certain. It is my understanding
18 there is legislation challenging the legality of literacy and
19 English. My suspicion is also this will be more amenable to
20 Legislative change than anything.

21 The other thing is the requirement of printing the
22 ballot in a foreign language. That is by no means as compli-
23 cated as it appears on first blush, particularly with the de-
24 velopment of voting machines and the possibility of those areas
25 which have voting machines we simply slip a computer card into

1 a preprinted machine. That would be no real problem to have
2 several preprints in precinct polling places where they are
3 needed in a wide variety of languages. It is not at all
4 necessary, in my view, to require this be a major portion or
5 10 per cent of the population or anything else.

6 That leads to the next problem, voting machines,
7 which I think is simply that it is time to consider standardiz-
8 ing this throughout the State of California for the obvious
9 reason that complicated machines can often substantially in-
10 timidate large numbers of voters who either are unable to
11 operate them or get in the booth and become confused. At its
12 most detrimental it actually keeps voters away from the polls.
13 It is possible in some areas to show a substantial decline
14 when you are dealing in an election won or lost by a matter of
15 a few votes.

16 I think the felony voting exclusion in California is
17 much more serious than many of us know, particularly because
18 it not only has racial and ethnic overtones, but it also has
19 substantial economic overtones. It is sometimes a narrow thing
20 in the State of California whether a man is convicted of a
21 felony or misdemeanor. It is also true it is possible to later
22 on correct the record to take care of a felony and reduce it
23 to a misdemeanor. This is the kind of thing that happens to
24 a man who has private counsel and it may not happen to the man
25 who is a transient as he does not come back into the area from

1 which he has a conviction. This can make a substantial im-
2 pact plus the general public impression that a person once
3 convicted of a felony may not vote until he has gone through
4 the complicated process of a certificate of rehabilitation and
5 a pardon by the Governor. This is being remedied, as Mr.
6 Garcia mentioned, in some counties and should be remedied in
7 more. I think it is clear now that with the bars down in
8 some parts of the State, but not in other parts of the State,
9 that it is high time standardized statewide legislation oc-
10 curred for the final resolution of the problem before the
11 courts.

12 The residency shows its head in a number of different
13 ways, in addition to the simple problem of racial residency.
14 So many of the laws we have at the present time discriminate
15 highly against those people who move around and are favorable
16 to those people who tend to stay in one place for a period of
17 time. The one-year residency requirement in the State of
18 California is no longer with us. I think we will clearly see
19 substantial reform in this area in this session of the Legis-
20 lature. That is one reason why I think it is worthy of some
21 attention because of the recent action of the Supreme Court
22 which is going to require the State of California to at least
23 for efficiency sake to dovetail its residency period with those
24 set forth in the Federal Voting Rights Act. There was legis-
25 lation which was pending last session and it has been intro-

1 duced again this session. It sets forth a 19-day requirement,
2 that you register 19 days before the election. Now, in
3 fact, there are many systems which make it possible to reduce
4 it beyond that, but from I have seen and the material I have
5 gone over with the County Clerks, it appears 19 days will allow
6 the County Clerks to do what is necessary to inform the elec-
7 torate and also to prevent voting fraud in our present struc-
8 ture without changing substantially the present system of
9 registration that we use.

10 Mr. Garcia mentioned registration by mail, which is
11 extremely important until we can get some system of permanent
12 registration. The requirement of registration imposed in all
13 places in the communities, spread widely throughout all the
14 neighborhoods, cannot be overemphasized and the publicity of
15 these.

16 One thing that has intrigued me—and I think this
17 might do well for some of the smaller counties—before I went
18 into private practice I was with an organization which is known
19 as California Rural Legal Assistance. We did work in smaller
20 counties. I am particularly aware of some of the things and
21 discrimination against minority groups in smaller rural areas.
22 For the general purpose of encouraging the kind of ease in vot-
23 ing Mr. Garcia was talking about, it seems to me we might well
24 begin setting some standards for measuring how well a County
25 Clerk does his job. A County Clerk at the present time is

1 measured by any foulups that make the press mad on election
2 night and by how pretty his registration affidavits look as
3 they sit in his halls and in his records. It seems to me we
4 might begin to develop some criteria based on how many people
5 he should have registered in his area, if he were doing a prop-
6 er job of outreach and involvement of all the groups, the set-
7 ting of this kind of criteria. I imagine this would give us
8 a way to measure the work being done by a County Clerk and begin
9 to effectively criticize him if he was not doing the job. Es-
10 sentially, we would place the burden on him to go forward and
11 register the people rather than the present burden on the Coun-
12 ty Clerk where we only penalize him if his papers don't look
13 pretty, which I think ought to come last in our voting require-
14 ments.

15 The only thing additionally I have to add in addition
16 to residency, and this has to do with candidates, is there are
17 two present cases in the Third District Court of appeals. One
18 went to the California Supreme Court and the other was just
19 taken today. One is called Lawrence versus Cleveland and the
20 other is—I don't know, those were handled by my partner, Mr.
21 Eisenberg. Those were struck down, five-year residency require-
22 ments for candidates. These kind of long residency requirements
23 are discriminatory. The impact is so clear I don't think there
24 is any need to discuss them further here.

25 One other thing that I think is important is the re-

cent decision of the California Supreme Court to invalidate
1 the California requirement of two-thirds vote to pass certain
2 local bond issues. I think it is important to a minority
3 group in that it provides an opportunity for capital formation
4 in those areas which can be important without requiring the
5 group somehow obtain a surplus majority. It is difficult
6 enough for us to get 51 per cent in most circumstances.

7 Thank you very much.

8 CHAIRMAN SILLAS: Thank you, Mr. Moulds.

9 Are there any questions?

10 Thank you very much, Mr. Moulds.

11 MR. MOULDS: Thank you very much.

12 CHAIRMAN SILLAS: Our next speaker is Mr. Jess
13 Unruh.

14 Mr. Unruh, would you state for the record your name
15 and occupation.

16 MR. UNRUH: My name is Jess Unruh. I am unemployed.

17 I have no prepared testimony today, Mr. Chairman.
18 I will say I am happy to be here, but I am available and
19 pleased with the opportunity to talk with you. I think there
20 is probably very little I may add as far as many of the things
21 that have been said today about the deprivation of rights in
22 California of those of Mexican-American descent have been
23 spelled out rather well here today.

24 I came here today at your request with the feeling
25

1 that through a give and take exchange I could add something to
2 the voluminous testimony you already have had. I am personally
3 prepared to try and respond to any questions you might have.

4 I think Senator Dymally spelled out yesterday about
5 as well as anyone I have heard and about as honestly as any-
6 body I have heard, what goes on in a reapportionment, which,
7 I assume, I am principally here for, and that is reapportion-
8 ments are designed by incumbents for incumbents and as a service
9 of incumbents. I have gone through three reapportionments, 1961
10 we did an Assembly and Congressional reapportionment. We
11 did not do a Senatorial reapportionment because that was before
12 the one man one vote court edict.

13 In 1965 we again realigned the Assembly and Senate
14 lines, and in 1967 we realigned the Congressional districts.
15 In no case have I seen anything out of this in the reapportion-
16 ment except the actions of the Legislature to protect the mem-
17 bers of the Legislature and to favor the party in power.

18 In 1961, pursuant to a direct request, I think the
19 principal thing that motivated the Legislature in reapportion-
20 ment after that all-important principle of protecting incumbents
21 was to give to the then new Democratic President, John Kennedy,
22 a working majority in the Congressional delegation of California
23 as was possible, as big a one as was possible. We did that.

24 In 1965 it was totally and completely for the protec-
25 tion of incumbents. In 1967 it was to protect the incumbent

1 Congressmen. I would suggest that is what would govern this
2 reapportionment at both the Assembly, the Senate and Congres-
3 sional level. That is the way it is done. If you have a way
4 of figuring out how to do it differently, I think it should be
5 done differently, and I am totally willing to support that
6 myself. I take it that is the way it has been done and that is
7 the way it will be done. It will not matter much who is in
8 there, whether they are Black, White, Brown, Yellow, Green,
9 Red, Democrat or Republican. They will first of all make a
10 deal to protect themselves.

11 Secondly, they will attempt to give their party what-
12 ever advantage there is.

13 Thirdly, they will look after other groups who manage
14 to get the most pressure on them after that.

15 CHAIRMAN SILLAS: Thank you, Mr. Unruh.

16 Mr. Gabourie.

17 MR. GABOURIE: Mr. Unruh, from your last political
18 experience, what advice could you give the residents of East
19 Los Angeles to assist them in protecting themselves in this
20 new reapportionment plan that is going to be afect in the near
21 future?

22 MR. UNRUH: I would give them the same directions I
23 give everyone else. That is they must at all costs maximize
24 whatever strength they have under any division. I do not think
25 that has been done either by Chicanos, or, for that matter, per-

1 haps anyone else who really is underrepresented or have been
2 exploited. I do not think there is anywhere near the kind
3 of effort in the Mexican-American community that would maxi-
4 mize the strength they have now. I think if there had been
5 we would have at least one more Mexican-American in the As-
6 sembly this year. The district Montoya lost ought not to have
7 been lost. It was lost because it was underfinanced and under-
8 organized. There was not enough support even within the com-
9 munity as far as that is concerned. I think whatever the di-
10 visions are, whatever the lines are that are drawn, the maxi-
11 mum effort is not being put forth.

12 I would suggest, like everyone else who complains
13 about what society does not bring to them, most people are
14 much more ready to protest when the cameras are trained, the
15 cameras are watching, than they are to do the hard work of
16 pushing doorbells and getting people registered and out to
17 the polls on election day.

18 MR. GABOURIE: Thank you.

19 CHAIRMAN SILLAS: Father Casso.

20 FATHER CASSO: Mr. Unruh, a number of questions.
21 In our testimony yesterday, it got kind of bleak because of
22 the feelings and sentiments of the Mexican-American speakers
23 that they considered the Democratic Party as feeling the
24 Mexican-American was a hip-pocket vote. Does the Democratic
25 Party reconsider the Mexican-American as a hip-pocket vote?

1 MR. UNRUH: I can no more speak for the Democratic
2 Party, Father, than you can for the Mexican-Americans. As a
3 Councilman I can only speak for one Democrat and that one
4 Democrat has not been spectacularly successful in the last
5 couple of years, but I can say that as far as I am concerned
6 I do not consider that to be the case. I do not think I ran
7 nearly as well this year among the Mexican-American voters as
8 I would have liked to or as I should have based on my own per-
9 sonal record. I think that is generally the case with most
10 Democrats, although I am not confident I can speak even for
11 most of them. I believe there is a great deal to be gained
12 by a deeper understanding and cooperation between the Mexican-
13 American voters and the Democratic Party.

14 I noted in Senator Richmond's testimony that he said
15 most of the problems of the Mexican-Americans could be solved
16 if they would just quit voting Democratic and vote Republican.
17 I would suggest you ask Mr. Richmond how many programs he sup-
18 ported for the Mexican-American community that he felt were
19 necessary to their welfare. Then if he is willing to commit
20 himself and more of his fellow conservatives to those kind of
21 programs, then I would urge the Mexican-Americans to vote for
22 them. I would suggest you would not get that kind of commit-
23 ment from Mr. Richmond or anybody else. I would say no, that
24 is not the case any more. I believe, however, that none of us
25 have really found a way of maximizing the voting power of

Mexican-Americans, or, for that matter, any other poor people.

1 FATHER CASSO: The other question is the testimony
2 indicated that the Mexican-American has been very loyal to the
3 Democratic Party and many speakers indicated that the Democratic
4 Party had not responded in kind, either by helping public of-
5 ficials run, finance them; No. 2, by lack of appointments;
6 No. 3, the employment record even in this building here. The
7 fourth big one that came out was the evidence here of the
8 gerrymandering in East Los Angeles so that the elected officials
9 would not come out. How do you view these four things that
10 came out from the testimony?

11 MR. UNRUH: I think any charge in that direction has
12 a general ring of truth to it. There have not been enough
13 Mexican-Americans appointed. Quite obviously the Mexican-
14 American community has been reapportioned more with regard to
15 how it would maximize the Democratic representation than it
16 has as to how it would maximize the Mexican-American representa-
17 tion. There certainly has not been enough support for those
18 efforts on the part of the Mexican-American candidates to buy
19 Anglo-Democrats to enable them to be elected. All of those
20 things have a general ring of truth, but all of them obliterate
21 other things which I think are perhaps just as important.

22 I think it might be well for Mexican-Americans in
23 attempting to peruse why they have so little political impact
24 in this state, to contrast what is happening in contrast to
25

1 what has happened to Blacks in this state. I don't know that
2 I can analyze it properly for you, but I would suggest that
3 in 1961 when reapportionment took place that there was a far
4 heavier outcry from Blacks that that reapportionment was un-
5 fair to them and there was a strong representation in Sacra-
6 mento in a room down the hall here, from Blacks that they
7 should have more districts cut so they would be absolutely
8 sure of having more Black Assemblymen and more Black Congress-
9 men.

10 I can remember some protests on the part of Mexican-
11 Americans at that time, but I think if you weighed them in
12 the balance you would find the Blacks were considerably strong-
13 er in their protests.

14 Despite that and despite the unfairness of that re-
15 apportionment insofar as probably both the Blacks and Chicanos
16 are concerned, the Blacks have done extremely well, I think,
17 in representation in this state since then. They have done
18 it by, it seems to me, understanding the political process and
19 adapting to it or adapting it to themselves with considerable
20 more skill than has been in the case of the Mexican-Americans.
21 I would not attempt to explain why that is the case. Perhaps
22 the language barrier indicates it is a far greater barrier
23 than the colored barrier.

24 I would suggest to you that in 1962 after the 1961
25 reapportionment we were successful in electing two Chicanos to

the Assembly. They were, it is true, from principally pre-
dominant Anglo districts, but they won that election. One
of them was able to win reelection in 1964. We did elect
a Mexican-American Congressman who is from a district that is
not principally peopled by Mexican-American people.

By and large we have not been able to form the al-
liances, both monetary, which goes to financing a campaign, and
the active alliance which gives the people's support to Mexican-
American candidates as we have with Black candidates. I would
suggest the idea that a representative must have the majority
of his own people, either nationally, religiously or some other
way, in order to be an effective spokesman for them, is pure
baloney. I think you cannot say Willie Brown, for example,
who comes from a 20 per cent Black district, is a less effec-
tive spokesman for Negroes, than Mervyn Dymally or Bill Green
who comes from a 98 per cent Black district. Consequently, I
am inclined to believe Ed Razo has been an effective spokes-
man for Mexican-Americans, but not as militant as some people
would like. I would suggest the makeup of the district has
only secondary effect insofar as the man's ability to repre-
sent the people is concerned.

I do not know what has been lacking. Perhaps it is
simply the lack—and I hesitate to use this—of a politician
of major proportions who was close enough to the community to
really lend the kind of helping hand. That might have been the

1 case.

2 I take a great deal of pride in the fact that I
3 helped most Black politicians in this state get elected. I did
4 not make that kind of effort insofar as Mexican-Americans. I
5 suppose that would be because you know those people you live
6 with much better than you do other people. I have not lived
7 that close with the Mexican-American community.

8 FATHER CASSO: I see a conflict in two things, Mr.
9 Unruh. One is the need for doing something about those lines
10 in East Los Angeles, as a case in point, and your statement
11 that lines are drawn for the protection of the legislator.
12 That is a political reality.

13 MR. UNRUH: I would like to make it very clear,
14 Father, I am only defining the rules of the game, not setting
15 them.

16 FATHER CASSO: Fine, but on the other hand I see the
17 right of the people, as we heard yesterday, taxation without
18 representation of the people, and you have got a million people
19 out there, to be able to elect their own officials. Which of
20 these two rights do you feel ought to prevail?

21 MR. UNRUH: Father, I think we have a philosophical
22 discussion about to emanate here. I don't believe that in
23 every way is one right against another because neither of them
24 are probably absolute.

25 Let me see if I can personalize this and see if I can

spell out a little better what I mean. For years the division between Gus Hawkins' district in Los Angeles County and mine was the Harbor Freeway. I suppose Gus Hawkins probably represented 150,000 Blacks to the east of Harbor Freeway, whereas I represented 25,000 of them to the west. On the basis of voting record and legislation passed, on the basis of working in and with the community, I would suggest, maybe with some egotism, that our records of achievement for those people, the Black people who lived either east or west of the freeway, were indistinguishable, distinguished, I hope, but indistinguishable.

FATHER CASSO: The observation I was going to make, Mr. Unruh, was the fact that the frustration we saw just a few moments ago is growing day in and day out. By the end of yesterday's testimony we were pretty tired, but we have to come up with solutions. That is the reason for my questions.

CHAIRMAN SILLAS: Thank you.

Mr. Glick.

MR. GLICK: Somewhat similar to a question Father Casso has asked, it is clearly a dilemma, Senator Mascone, who testified earlier this afternoon, testified, and I am sure with great sincerity, the Democratic Party wants to be a more effective instrument for the Mexican-American people. Then there is the problem of reapportionment. It is a very strong political reality. Do you think the problem might possibly be

1 dealt with more effectively if the leadership of the Demo-
2 cratic Party in California, acting through the members of the
3 Legislature, faced it head on and made a decision if someone
4 had to go, that would just have to be done?

5 MR. UNRUH: Certainly it would be better for the
6 Mexican-American population insofar as the near future is con-
7 cerned than probably insofar as the long run is concerned, but
8 that just isn't going to happen. It just isn't going to happen.
9 I would say, without attempting to defend that, and I don't,
10 I made a commitment during the course of my campaign this year
11 that I would not sign a bill, not that I am sure the Governor
12 has the right or the necessity to sign a reapportionment bill.
13 I am inclined to believe Constitutionally it doesn't make any
14 difference whether he signs it or not. The Congressional man-
15 dates to the Legislature show reapportionment and if they
16 achieve the passage and the Governor vetoes it, then it seems
17 to me there is a grave Constitutional question as to whether
18 that veto is effective. I made a promise I would not sign a
19 bill that did not adequately give representation and an effec-
20 tive voice to the Mexican-American community where it was dis-
21 tinguishable and possible to do that, which I suggest is Los
22 Angeles County.

23 I am not here today to defend what I think has hap-
24 pened in the past and what I think will happen in the future.
25 I tell you that no one in the Legislature has that kind of

1 authority and power, no matter how powerful he may be and no
2 matter what position he may occupy. When it comes to reap-
3 portionment, you are talking about a man's political future
4 and not only his political future, but his political presence
5 and his political life. No man that I have known in politics
6 that occupies political office is willing, ready and able to
7 lay down his political life to another politician, or even,
8 for that matter, a group of people, unless that happens to
9 parallel what his own political good fortunes would dictate.

10 CHAIRMAN SILLAS: Mr. Montgomery.

11 MR. MONTGOMERY: Mr. Unruh, is this a fair statement
12 that considering the atmosphere that we have in Sacramento to-
13 day of a Republican administration, Democratic Legislature, it
14 is not likely that as a result of any reapportionment there
15 would be such a drawing of lines to insure that a Mexican-
16 American is elected from that one district solely because he
17 is Mexican-American?

18 MR. UNRUH: Not unless he happens to be an incumbent.

19 MR. MONTGOMERY: Thank you.

20 MR. UNRUH: If you will remember, in 1965 we did have
21 a Mexican-American incumbent who voted for the 1965 reappor-
22 tionment because it gave him what he thought, and what we
23 thought—and I might say mistakenly—a relatively safe dis-
24 trict a Mexican-American could be elected from. We did it,
25 incidentally, by running over the wishes of Jack Fenton who

1 voted against reapportionment, whereas Phil Suto voted for
2 that reapportionment because we shifted about fifteen or
3 eighteen thousand Mexican-American voters into his district.
4 It wouldn't make much difference if there were 10 or 12 more
5 Chicanos here. It would be different only to this extent,
6 they would be incumbents and they would be protecting the in-
cumbents.

7 CHAIRMAN SILLAS: Mr. King.

8 MR. KING: I would like to thank the former speaker
9 for his candor.

10 MR. UNRUH: It has always gotten me in trouble.

11 MR. KING: But I find it refreshing.

12 I think there is more under discussion here than
13 legislative reapportionment, however, and that is the parties
14 themselves and their responsiveness in the party structure to
15 the Chicano. What is the Democratic Party doing today to open
16 the channels for the Chicano community for representation in
17 the party's political activities?

18 MR. UNRUH: I really don't know because I don't
19 suppose if we polled the 1,200 Democrats here at the State
20 Convention this week you would find more than 50 of them who
21 would agree on who is the Democratic leader in this state at
22 this point. I think there is a growing awareness that there
23 must be a system of compensatory politics, if you will. What
24 we were doing some seven, eight, ten years ago for the Blacks
25

as far as seeking out and offering financial support, must
come about again insofar as the Chicano candidates are concerned. I am certainly aware of it and I have been aware of it, but I am not as dexterous in promoting it as I should have been for some time. We did go through some of that the last time even thought the Democratic Party going into the '70 elections was hardly in a position to defend itself, much less exercise itself in any positive reach. I think that has happened.

I would suggest, if you are truly interested in equalizing the impact of any minority, particularly when they come from the lower strata of the economic makeup of the state, you would do perhaps more by rendering obsolete the credible impact of many in politics than by anything else. It is really not so much the Mexican-American or Black votes or other votes are not as important as are taken for granted as is the fact there is very little economic power in those communities. There are very few Henry Salvatore's or Carmen Morshaw's or anyone else that come from those areas. The impact of a person who gives \$95,000 to the Presidential campaign, you know and I know that this is vastly different.

If you really want to upgrade and equalize the impact a minority has in politics, then the single, most swiftest, most decisive stroke you could strike would be to figure out some way of ridding politics of the impact of money.

1 MR. KING: I find myself sitting here in the last
2 half hour or so and getting rather ill at ease at the fact
3 Anglos are once again discussing Chicano affairs. I think we
4 have seen in the last two days, as we have over a long period
5 of time, a greater inclination on the part of the Chicano
6 community not to leave the Democratic Party and go to the Re-
7 publican Party. As a Republican, I am not too optimistic
8 about the opportunities in the Republican Party for the Chi-
9 canos. I think some of us in our own parties have had battles
10 too. I feel that the trend is toward leaving the Democratic
11 Party and going into another party.

12 MR. UNRUH: I think perhaps worse than that is just
13 leaving the Democratic Party and going nowhere, not even votin
14 not even participating at all, sort of coming to a sullen rage
15 that may or may not express itself somewhere and generally
16 doesn't express itself except to a further drop out. If you
17 take the gubernatorial turnout for the last 12 years, you will
18 find that consistently the turnout has dropped off. I would
19 like to think it is not because the quality of the candidates
20 has dropped off. People think the damned thing doesn't work
21 and to some extent they are right.

22 MR. KING: For the sake of beating it to death, I
23 would like, before we close this, to take one more crack at
24 this reapportionment problem. I will ask you a rather per-
25 sonal question. If you had to do the 1965 reapportionment over

again, would there be some way you could find to provide
greater representation for the Chicano community? I think
that bears on what is going on today. Mr. Waxman was here
yesterday and we got pretty much the same response.

MR. UNRUH: If I may answer that somewhat obliquely
and not clearly, I would say if I was Governor, yes. If I
was a member of the Legislature, no. A member of the Legis-
lature does not have that kind of impact nor does he have that
kind of constituency. It takes statewide leadership to speak
out on this because there is where the votes are effective
and where they count in a reasonable comparison. I would say
regardless of what I might have liked to have done, this was
before we thought we were at least saving the one Chicano seat
we had, and we did that by running over an Anglo, we thought
we were doing it. That didn't work out that way. If I could
have reached up somewhere else and done more, I would have.
I might have possibly have talked to Ed Elliott at that point
and urged him to withdraw so we could have elected someone
from that district, but we did that the next year anyhow. We
watched that district very carefully in 1966 to make sure the
Democratic nominee was going to be a Mexican-American. I
didn't participate in that primary because there were four or
five there, all of whom were friends of acquaintances of mine.
We did watch it and polled it very carefully to make sure
there was not going to be an Anglo that came out of that pri-

1 mary. I would say I did about all I could as a legislator.
2 As a Governor, I think the Governor could have done more and
3 should have done more.

4 CHAIRMAN SILLAS: Mr. Unruh, I want to thank you
5 for appearing.

6 MR. UNRUH: I am sorry I dissatisfied your audience.

7 CHAIRMAN SILLAS: We have a manner of clearing an
8 audience.

9 I want to indicate to you that for the last two
10 days the witnesses have held you up as a symbol of their
11 frustrations. I think in all fairness before you leave I
12 want to give you this opportunity to make any final statement
13 before you leave.

14 MR. UNRUH: I, of course, have felt the attentions
15 to my roll in the '61 reapportionment were very unfair. Once
16 upon a time we had a Senator here in these halls by the name
17 of George Miller, Jr. At one time a young Assemblyman brought
18 an appropriation request before his Committee for \$150,000
19 and the Rules Committee cut it down to \$5,000. The Assembly-
20 man said, "Senator, that is not fair." Senator Miller took
21 the rule book and said, "Show me in there where it says you
22 have got to be fair." So I have learned not to expect fair-
23 ness in the political arena.

24 I will say, however, many frustrated people are ex-
25 tremely difficult to deal with on the basis of rationality.

1 I have found this insofar as students are concerned. I have
2 found it insofar as many other people are concerned. They
3 feel the need for changes in society. They are by and large
4 extremely poor students of recent history. Everytime I go
5 somewhere, I am always accused of having been a speaker in
6 the 1961 reapportionment. When it took place, I was not. I
7 was not Chairman of the Reapportionment Committee. I was
8 Chairman of the Ways and Means Committee. I was only one vote
9 on that reapportionment matter, which incidentally saw every
10 Democrat in the House voting for it, including minority Demo-
11 crats, and the majority of the Republicans.

12 In 1965, as I said, I don't think we had any basis
13 for what we did do during that which resulted in one safe
14 Mexican-American seat. But for the unfortunate landslide of
15 Ronald Reagan, I think it would have resulted in two and quite
16 possibly three. We now have two back in the Assembly again.
17 We have been able to maintain a Mexican-American Congressman
18 all of this time out of the 1961 reapportionment and to secure
19 that district in the 1965 reapportionment.

20 I think if anyone cared to examine the record you
21 and I have made, or the efforts I have made in attempting to
22 support the Mexican-American candidates in the last 10 years,
23 they would find it unparalled by the efforts of any other
24 politician of either party. I do expect, as I said, any fair-
25 ness in that situation, any more than I might in some other

1 situations. I do believe, however, that is one thing that is
2 overlooked in what is going on now. You cannot just form al-
3 liances if there is a necessity to kick your closest friend in
4 the teeth and to prove you are independent by first repudiating
5 those people who are closest to helping you, who have helped
6 some, and perhaps not enough, that the road is a bleak one in
7 the future because those alliances must be made by any minority
8 group. No minority group is ever going to be island unto it-
9 self. If he were, then they would be absolutely, totally and
10 completely impudent when it came to passing the legislation.
11 Securing the job in politics is not what politics ought to be
12 about. Simply getting elected and staying elected ought not
13 to be the race of David . It ought not to be our sole reason
14 for running for office or continuing to occupy that office. If
15 simply getting three or four more Chicanos is the purpose, with-
16 out reference to this social legislation, that will make the lot
17 of those other 900,000 Chicanos who aren't fortunate enough to
18 be the three or four elected officials that result from a better
19 reapportionment, then the lot of three or four Chicanos might
20 be improved, but the lot of 900,000 may well go even further
21 down.

22 CHAIRMAN SILLAS: Thank you very much.

23 Our next scheduled witness is Ann Ramirez.

24 MRS. RAMIREZ: I said five minutes and I think that
25 is one of the reasons why I have had the opportunity to speak.

1 It may run into six or seven minutes, but I will proceed.

2 First of all, I think we have heard enough testimony
3 the last couple of days to tell us about the alienation of the
4 people. I had prepared originally some other information, but
5 I feel it has been repeated quite a bit by previous speakers.
6 So I took it upon myself to change what I originally prepared.

7 I requested information hoping to find out more
8 about the status of the Chicano in California. I requested
9 information from the Library of Congress relating to ethnic
10 groups in the State of California, population information and
11 so on. I found out the information that was available was
12 very, very limited. I think we have heard that mentioned over
13 and over again, the limitation of the information available
14 relating to the Mexican-American. I did find some information
15 and this I would like to present today.

16 Before I go into that, I would like to mention that
17 when there is an illness of a mental nature, quite often a
18 psychiatrist will use the technique of regressing to try and
19 find out where the trouble began. What has happened to this
20 human being? I think this is what we have to ask ourselves
21 today. I think we have to let people know what did happen to
22 the Chicano. I think since we are not in numbers and legis-
23 lators, we have to be in numbers as educators.

24 I would like to mention first this publication which
25 is entitled "California Almanac" and which goes into quite a

1 bit of detail in each chapter according to population, geology
2 and the various different things that go into the composition
3 of the State of California.

4 One of the things that was mentioned, one of the sec-
5 tions was contributions of ethnic groups. It does mention the
6 early settlement in California of Indians and Spanish people,
7 133,000 Indians to be exact. This was the beginning population
8 of the State of California. It does not mention, because the
9 historians have not written of various minorities in the state,
10 there is very little information available as to their specific
11 contributions. What is mentioned here in this publication is
12 called the Mexican or Hispanic period. It begins with the
13 colonizing of California, the first settlement in 1969 of what
14 is now called San Diego. It mentions who this was done by.
15 It also goes into the detail that Los Angeles, the most famous
16 of all the Spanish towns, was founded in 1781 by families of
17 mostly a mixture of Indian and Spanish. It also mentions this
18 very same population mixture was evident in the founding of
19 the City of San Jose, California's oldest civil town.

20 We must also remember that during the period men-
21 tioned here as "the Mexican Period in California," we are
22 really talking about the time when Southern California was the
23 northern part of Mexico. So let's not forget that.

24 The Mexican Period is termed here as the period be-
25 tween 1821 and 1848. One of the things we don't hear too much

about today is what did happen in 1848, the time of the
1 signing of the Treaty of Guadalupe Hidalgo , it mentions in
2 this publication the fact that in 1841—and bear in mind I
3 figure this to be approximately the time of my great grand-
4 mother—that Americans from the Mississippi Valley illegally
5 immigrated to California until its conquest in 1846 by the
6 United States. Overland migrants settled in the area of the
7 Sacramento Valley. This was an area that had not been populat-
8 ed too much by the Spaniards and the Mexicans. These illegal
9 immigrants, and I am quoting from this, were unhappy with the
10 political conditions of Mexican California. Being fearful they
11 might be deported, they proclaimed this area, revolted against
12 Mexico, and proclaimed the area of Northern California as the
13 Bear Flag Republic. It was the United States Navy who con-
14 quered California from the Mexicans in 1846. I will quote
15 again, "With this first peaceful conquest by Commodore John
16 D. Sloat, the American Period of California was begun."

17 I'd like to ask here when you take over a people and
18 a land, I have never seen it to be peaceful. With the end
19 of that sentence, that terminates what is known as the Mexican
20 Period.

21 In 1848 with the signing of the Treaty of Guadalupe
22 Hidalgo, the treaty guaranteed all the rights of American citi-
23 zens to the people who chose or would choose to continue
24 living here in California. All of those rights were guaranteed
25

1 by that treaty. Immediately upon the implementation of the
2 first Constitution of the State of California—I might say here
3 that the first Constitution of the State of California was
4 a bilingual document and one of the reasons it was a bilingual
5 document was one of the persons working on the drafting of that
6 Constitution happened to be married to a Spanish woman and
7 rather than to have to interpret everything for his in-laws,
8 he made the suggestion there be a state translator. Because
9 of this, we were fortunate in having the first California
10 Constitution as a bilingual document which meant that all of-
11 ficial publications were then printed in Spanish and English.

12 This went on for a period of 30 years, at which time
13 the control of the state government, being all English speak-
14 ing, felt there was no need to spend this useful money. There-
15 fore, they eliminated the position of state translator at the
16 time the Constitution was revised 30 years later. By eliminat-
17 ing the position, of course, they cut off all communication
18 with the Spanish speaking communities. I think we have to
19 bear that in mind when we talk about what we are doing today.
20 We have to understand what happened yesterday in order to bet-
21 ter plan for tomorrow.

22 I have been hearing about statistics not being avail-
23 able, which is another thing which bothers us quite a bit. I
24 would like to mention that in doing a little bit of research I
25 found that as of April 1960 the total white population in the

1 State of California was 92 per cent. The Spanish surname
2 population, which is included in the 92 per cent, was 9.1 per
3 cent. In July 1967, there was an increase of 2 per cent to
4 11.1 per cent of Spanish surname population. This was in 1967
5 and the previous figures were 1960. I would like to point out
6 that these figures reflect that the total population of Spanish
7 surname people in California was larger than all other ethnic
8 groups put together. This information is taken from the
9 California State Department of Finance, the Revenue and
10 Management Agency, Financial and Population Research Section.
11 I point that out because I feel that is so important, that
12 when people want to do something they can do it, noticing that
13 it comes from the Department of Finance, Revenue Section.
14 Naturally we are taxed. They have to know where we are at.

15 While these figures indicated the Mexican-American
16 population was the largest percentage of all other minorities
17 put together, it was larger than any other groups put to-
18 gether, yet we are still ignored.

19 This comes down to another example. Take the Depart-
20 ment of Motor Vehicles. I understand—I don't understand, I
21 know for a fact—that information gathered by the Department
22 of Motor Vehicles by applicants for a license is available for
23 sale. People who are in business, whether for the sake of
24 real estate, insurance, or whatever, can utilize this infor-
25 mation. They purchase it at a pretty reasonable price from

1 the State of California. If they are able to purchase this
2 information in order to expand their businesses, why hasn't
3 the State of California been able to properly identify the
4 Chicanos? Or do they really want to?

5 I would now like to mention a couple of things that
6 I would like to put in terms of recommendations. I have heard
7 people say you cannot legislate attitudes. Therefore, we must
8 find some means of making our legislators responsive to the
9 needs of the Chicanos. One of the first things would be the
10 encouragement of bilingualism throughout the State of California
11 at every level of government. This could be done by the re-
12 instatement of a state translator who could then provide
13 official publications and official information for all of the
14 Spanish speaking population in the State of California.

15 The second thing would be that we have to insist
16 the history of California and the contribution of the Chicano
17 be properly portrayed. I think this is what we must do as
18 educators of the legislators. The legislators do not really
19 know. I really sincerely feel they don't know the history of
20 the Chicano and they don't know the contributions so how can
21 they respond to anything when, you know, they have never been
22 a Chicano themselves.

23 I would suggest they might begin by reading the
24 book "North of Mexico" by Mr. Williams. It would be a very
25 good introduction.

1 The next thing we must do is give the Chicano his
2 dignity. You know he has been stripped of that long enough.
3 He must be recognized as a 100 per cent human being that has a
4 contribution to make in two languages. He must be allowed to
5 do this. The teaching of the Chicano culture should be done
6 by qualified instructors in all of our schools. When I say
7 "qualified instructors", I don't mean someone who might have
8 visited Mexico on a weekend. I mean using people at the com-
9 munity level to bring this in. Quit treating our heritage as
10 "a quaint foreign culture". We are sick of that. We are here,
11 we are citizens.

12 Finally, I think we have to shift the burden of as-
13 similation where it belongs. That is, we are often told over
14 and over again, well, as soon as you can compete, you know, you
15 can get part of the action. Well, it should be the other way
16 around. The burden of assimilation should be on the English
17 speaking community. They are the conquerors. It is their
18 obligation to learn how to assimilate within a community that
19 was Spanish speaking.

20 Another thing we must clarify is the confusion of
21 loyalties, that is, cultural loyalty as opposed to political
22 loyalty. Everytime you hear a Chicano speak in Spanish, he
23 gets accused of nationalism, being unpatriotic or whatever. It
24 is only because, I think, the monoligual community does not
25 understand the speaking of Spanish. The every-day living as a

1 part of a culture has no real significance to a political
2 loyalty. Rather this is his every-day habits. This is the
3 way his family lives. Therefore, there has to be a clarification
4 that because he does speak Spanish, that does not mean
5 he is disloyal. That, of course, could be proven by the
6 statistics of the number of Mexican-Americans who have given
7 their lives, the highest percentage of any ethnic group in
8 this nation in terms of our population. So when you talk about
9 not being loyal, let's understand what we are talking about.

10 I would like to mention one other recommendation and
11 that is we must take it upon ourselves to visit every legislator
12 and ask him what he is going to do about the employment situa-
13 tion within the legislative arena relating to the Chicano. I
14 was really flabbergasted when I heard the presentation of the
15 young man who gave the employment figures. I took it upon my-
16 self to visit an Assemblyman today and present this problem to
17 him. His reaction was, "Gee, I wasn't even aware of that." I
18 bet there will be dozens who will respond this way.

19 My next question was, "Now that you know about it,
20 what are you going to do about it?" So he has committed him-
21 self to hire a Chicano in time for the summer. I think we
22 could certainly begin there. Let's keep in mind that it is
23 a two-way street. The legislators and the public officials
24 have a lot of learning to do. We have learning to do also in
25 the area of political techniques, how the wheel turns, how the

1 system works so we can utilize it. That is what we must learn
2 to do and then utilize it.

3 On the other hand, the immediate thing is for our
4 legislators and public officials to learn to be responsive to
5 the Chicano. The only way he can do this is by the Chicano
6 insisting that public officials respond to the need, go to these
7 legislators and insist that they listen to you. If they don't
8 listen the first time, go back again, and if they don't listen,
9 don't reelect them.

10 I believe this is all I have to present today. Thank
11 you for this opportunity.

12 FATHER CASSO: Thank you, Mrs. Ramirez.

13 CHAIRMAN SILLAS: Our next witness is Mr. Cano.

14 MR. CANO: Mr. Chairman and Members of the Commis-
15 sion.

16 My topic is the Disenfranchisement and Negative Image.

17 The Mexican-American has been denied political par-
18 ticipation on numerous levels in the State of California. One
19 of the most critical determinant factors in the assimilation
20 of the Mexican-American into the mainstream of the political
21 arena is access to the entry level of politics, election to
22 city office.

23 With a population of 111,000, 86 per cent of which
24 is Mexican-American, the unincorporated area of East Los
25 Angeles is a singular case in point.

1 The Los Angeles County Board of Supervisors is the
2 jurisdictional agency of East Los Angeles, and, in effect,
3 comprises the City Council, the Mayor's office and the Human
4 Relations Commission for the area. All this on top of the
5 operational duties for the entire County of Los Angeles.

6 There are no Mexican-American supervisors.

7 Thus, the Mexican-American population of East Los
8 Angeles is truly disenfranchised, the entry to political
9 participation is closed. And, considering the obstacles con-
10 fronting the Mexican-American who aspires to public office,
11 this consideration is a major one, with far-reaching implica-
12 tions for the Mexican-American population across the state.

13 The problem of lack of incorporation is a local one,
14 true enough. It cannot be dealt with on the state level. But
15 something can be done to offset the situation in order that
16 the Mexican-American can participate in the decision making.

17 The Mexican-American population in the State of
18 California has been effectively deterred from the capabilities
19 for bloc voting, through dividing the barrio into several
20 different districts, each a part of a larger and more ethnical-
21 ly diverse district.

22 Taking this into consideration, along with the pre-
23 viously described socio-economic deterrants encountered by the
24 aspiring Chicano politician, it becomes eminently clear that
25 without massive reform the level of participation will either

decline or remain constant.

A solution? Perhaps.

East Los Angeles, again only an example, could perhaps be diverted in its entirety to one Assembly District, or one Congressional District, thus at least opening up the possibility of a Chicano successfully campaigning for public office.

Let us now address ourselves to the question of image.

In seeking political representation, the Mexican-American is handicapped from successfully gaining any office because of the image he is saddled with from birth. The Spanish surname immediately brings forth a stereotyped image to most of the voting white majority that helps to defeat any candidate at the local, state, county or even congressional level of elective office.

Most of this is due to the negative, stereotyped image as depicted in the movies, radio, television and the printed mass media.

In his paper, "How Advertisers Promote Racism," Stanford Professor Thomas Martinez detailed how this misinformation that is carried to the public leads to a misconception of what a Mexican-American is and how he acts.

TV commercials and magazine advertisements of the type referred to symbolically reaffirm the inferior social

1 status of Mexicans and the Mexican-American in the eyes of the
2 audience. Exaggerated Mexican racial and cultural character-
3 istics, together with some outright misconceptions concerning
4 their way of life, suggest to the audience that "such people"
5 are comical, lazy, and thieving, who want what the Anglos can
6 have by virtue of the supposedly Anglo superior taste and
7 culture.

8 Some advertisers are creating, in many cases, un-
9 favorable racial and cultural stereotypes in minds that pre-
10 viously did not harbor them. Add to this the power of sugges-
11 tion and the feeling of superiority that is aroused when
12 another group is portrayed as inferior. Then the result of
13 such an insidious combination of forces might be the expecta-
14 tion, sprinkled with some desire, of perceiving the ethnic
15 group as having many inferior traits, the worst one being that
16 "they are what they are." Whether or not this prejudice was
17 subliminal or environmental, learned through advertising or
18 parents, the effect is similar. Even less prejudiced parents
19 are not equipped to counter the steady and subtle bombardment
20 of prejudicial suggestions that advertisers conveniently com-
21 municate to the children, who carry these images of an ethnic
22 group through their lives, and into the voting booths. These
23 same advertisers would not attempt to display a Black man or
24 woman over the mass media in a prejudiced, stereotyped fashion,
25 yet these same advertisers dare to transfer these caricatures

upon the Mexican-Americans.

The movie industry through the years has depicted the people of Indo-Hispanic background, as powerless and incompetent. Often they are depicted at the bottom of the economic ladder, in demeaning, abusive and unrealistic roles who usually can't even speak the English language. They do this under the guise that the role has to be believed by the public who attend these movies, but the time has come to question whether the public believes all Mexicans are cast in these roles in real life, or whether the movies have led the public to believe this. If the industry can't cast a young, good looking articulate Mexican-American in the role of a college professor who is also President of the second largest school board in the United States, reasoning that "It isn't believable", we have only to produce Dr. Julian Nava, a professor at the San Fernando Valley State College who is President of the Los Angeles Board of Education. Roles in movies can be based on fact, because real life can produce these people, but the movies do not depict them on the screen.

The caricature of the Indo-Hispanic created by television and movies has had an adverse effect on the Mexican-American child.

Dr. Martinez, in the Department of Sociology at Stanford University, had 12 Chicano children ranging in ages from 9 to 10 draw pictures of themselves. Eleven of the twelve

children drew pictures of themselves having blond hair and
1 blue eyes. When Dr. Martinez had these same children draw a
2 picture of a Mexican, nine of the twelve drew pictures of a
3 character with a big moustache, a sombrero, and a dirty un-
4 shaven face. This would lead one to believe that even a
5 Mexican-American would have difficulty voting for someone
6 "like that", to represent the public in office, because "he
7 doesn't fit the picture or image of what an elected official
8 looks like.

9
10 Add to this the fact that every city council at the
11 local level has to have balance because, "We already have one
12 Mexican-American to serve their interests" is never equated
13 with "We already have one businessman to represent their in-
14 terests", which sets up a double standard when voting for
15 public office.

16 In his paper presented to the AAAA Southwest Council
17 meeting last year, "Advertising and the Mexican-American Con-
18 sumer," Dr. Donald L. Canter, Vice-president of Marketing
19 Services at Carson-Roberts and an Adjunct Associate Professor
20 at the University of Southern California wrote, "The image is
21 a schizoid one; on one hand, the mass media, books, cinema,
22 television and even the elementary school text books, portray
23 Mexicans as benign, shiftless, sweet peasant-type people, who
24 are devout and trustworthy; but other portrayals in the organs
25 of mass media depict the Mexicans as villainous characters with

shifty eyes and criminal proclivities."

1 There are some gains being made in the mass media.
2
3 Some Los Angeles newspapers in recent years have begun to
4 carry articles on the problems, programs and successful Mexican
5 Americans in front page articles that are highly read by the
6 public.

7 And KNBC, Channel 4, which covers a mass area from
8 Santa Barbara to San Diego, is doing something positive in the
9 employment field and helping to improve the image of the
10 Mexican community. They were the first station in the nation
11 to ban the "Frito Bandito" advertising in both local and net-
12 work advertising. Their minority population during the last
13 year averaged over 20 per cent of their employees, as a result
14 of an active affirmative action program. KABC in Los Angeles
15 recently promoted a Mexican-American as Director of Employ-
16 ment. The American Broadcasting Company and KNXT have also
17 instigated some minority recruitment programs. This is one
18 of the keys to the broadcast and print media, to have repre-
19 sentation of the minority community as employees working for
20 the television, movies, radio and print media so that a firm
21 can be aware of attitudes and projects within the community.
22 In that way the programming, advertising and news coverage on
23 television, the feature storys in the print media and the
24 scripts for movies can reflect the life style and proper image
25 of the Mexican-American.

1 The question of image as depicted in the mass media,
2 has become an important project in the Los Angeles area. In-
3 dividuals are attempting to improve that image by changing the
4 inferior roles as they have been portrayed in movies and tele-
5 vision.

6 Foremost among these are Ray Andrade, Ricardo Montalban,
7 as well as Bill Dana, who gave up a stereotyped character role
8 he had been famous for.

9 In conclusion, let me paint a picture in your minds
10 of the inevitable evenuality that will take place, and does
11 take place, with frightening regularity even now.

12 Citizen "X" walks into the polling booth and sees
13 the two candidates, one with typical Anglo surname such as
14 Jones, naturally flanked by the magic word incumbent, the
15 other a Spanish surname such as Lopez. Now, imagine the
16 pictures that flash in the voter's mind.

17 Jones, ~~hmmmmmm~~, positive, intelligent, witty, re-
18 spectable, competent, he will protect my interests, responsi-
19 ble, has credibility and connections, politically astute,
20 sophisticated.

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

25 Automatically, almost reflexively, Citizen "X" punches

1 the card next to the incumbent Mr. Jones. He walks out
2 thinking he has contributed to the "best of all possible
3 worlds."

4 And, once again, the door to political participation
5 for the Lopez's of California, indeed of the nation, is sum-
6 marily and irrevocably shut.

7 Thank you.

8 CHAIRMAN SILLAS: Any questions from the Board?

9 FATHER CASSO: No.

10 MR. GLICK: No.

11 MR. GABOURIE: No.

12 CHAIRMAN SILLAS: Our next speaker is Sid Molina.

13 MR. MOLINA: I work for the City of Los Angeles. I
14 am sorry, but we just flew in a little while ago. The reason
15 why I came was I was very, very disgusted, first, you talk
16 about representation of the Mexican-American. What is this
17 Commission really going to do for the Mexican-American?

18 You say you want the Mexican-Americans involved in
19 politics. We have a fellow who flew in with us today. His
20 name is Dave Boubion . He is running for the School Board.
21 He tried to get an endorsement from some other groups. This
22 is the slate they have already put up. They told him point
23 blank, "No, you cannot run for this office." He must run
24 against another Mexican-American.

25 No. 2, when we talk about the Mexican-American in-

1 involvement in organized labor—I will give an example, myself,
2 I have been involved in labor since I was 18 years old. I am
3 36 years old. I was the first Mexican-American to bust up
4 General Motors. This was back in 1952. I am now a delegate
5 to the Federation of Labor.

6 About four years ago I had a big run in with the
7 Federation of Labor because I hollered at them and pointed out
8 where are the Mexican-Americans that are supposed to be in the
9 top offices of organized labor. They said they didn't have
10 any qualified Mexicans. I said, "Sure we do, we have plenty
11 of Mexicans." So all of a sudden they organized the Mexican-
12 American Council. This is when some of us were very disgusted
13 and we organized another organization called the Mexican-
14 American Labor Council. Due to the pressure we put out, we
15 got one Mexican to work with the Federation of Labor and his
16 name is Rudy Hernandez.

17 If you want to really help the Mexican-American,
18 let's incorporate the rest of East Los Angeles into the City of
19 Los Angeles. Many of the politicians are out there talking
20 to some of the so-called Mexican leaders and telling them point
21 blank you could incorporate and have your own little city.
22 This is a mockery. We know the Mexican-American will never be
23 able to incorporate East Los Angeles into a city for themselves
24 because this is impossible.

25 Now. No. 2, we have the Federation of Labor and

other labor organizations that turn around and go against the Mexican-American community when they wanted to incorporate it into the rest of the City of Los Angeles. The only thing I feel, and I have been involved in politics, like I say, for a long time, if you want to help the Mexican-American, let's incorporate the rest of East Los Angeles. Then you can give a couple of councilmatic seats to them, a couple of Assembly seats, a couple of Congressmen and not just go around and tell them we are going to cut up a couple of special districts for you.

This is what disgusts me and I came down today to find out that part of the 48th Assembly District will be chopped up. We have Highland Park now where Mr. Sillas lives and I live down there. Half of that area will go into the 54th Assembly District and the other half will go in the 40th. You are talking about Lincoln Heights and El Cerito will go into the 40th.

If you are trying to help a Mexican-American, help him. Don't take things away from him. You have Lincoln Heights, you have El Cerito, you have Cypress Park, you have Legion Valley and you have part of that area which is very heavy Mexican-American. They say go into the Silver Lake District and you find that you have many people from South American in that district. You go into the area of Hollywood and you find many Cubans living in that area. Why turn around

1 and try and cut a district like this in half to secure it for
2 one Mexican-American in the district. You are not helping
3 the people in the community. When you do have some Mexican-
4 Americans who are qualified and you try and run them for of-
5 fice, they try to go on their own. The first thing Democrats
6 or Republicans will do, they will pay a Mexican fellow a cer-
7 tain amount of money so he can run and pay his filing fees,
8 get him to run, then send him on a trip and just put out a
9 couple of bumper stickers. This has been done in the past
10 and I guess it will always be done.

11 I think the time has come for some of the other
12 Mexican-Americans in the community and some of our so-called
13 leaders to really speak out on this thing. Now is the time for
14 the Democratic Party in this day and age right now to try and
15 help us and really try and give us our place in the sun.

16 Thank you.

17 CHAIRMAN SILLAS: Thank you.

18 For the record, written reports have been submitted
19 and will be received from Senator Alan Cranston and Congressman
20 Ed Royball . It is anticipated written reports will be coming
21 from Alex Presia . I also want to indicate for the record that
22 contact was made with the Governor's office and with the State
23 Democratic Central Committee to have representatives here to
24 speak on behalf of both of those offices. Both offices de-
25 clined to appear.

1 One of the things that occurred yesterday was a re-
2 quest by the staff to obtain information pertaining to the
3 number of Mexican-Americans presently employed by the Legis-
4 lature.

5 Mr. Erickson, do you have a report on that?

6 MR. ERICKSON: My name is Charles Erickson. I am a
7 staff member of the Western Regional Office of the United
8 States Commission on Civil Rights.

9 Yes, Mr. Chairman, I went to both the Assembly Per-
10 sonnel Office and the Senate Personnel Office on several oc-
11 casions today and explained to the persons with whom I was
12 able to speak there that the Committee was interested in some
13 sort of a general explanation of the over-all personnel prac-
14 tices of the particular offices. Neither the Senate or the
15 Assembly personnel offices would give me any statement or have
16 anybody come and appear before this Committee.

17 One, Mr. C. Ed Olson, Executive Officer of the Rules
18 Committee for the Senate, stated the policy which I would have
19 to follow if I wanted someone to come before this group and
20 make an informal statement or just to inform the Committee.
21 He said I should make a request to the Rules Committee and that
22 it must approve it before he could explain the procedures,
23 general mechanical procedures, of the personnel department.
24 He said, "Submit it in writing and you will have an answer in
25 due course."

1 On the Assembly side I talked to Mr. Fred Tower,
2 a personnel officer there. He stated that—I started going in
3 at 10 this morning and I think I made the last attempt this
4 afternoon—he stated he didn't think he could get anybody to
5 come up for five minutes and explain this.

6 Thank you.

7 CHAIRMAN SILLAS: Thank you.

8 That will conclude this session pertaining to the
9 question of political representation of the Mexican-American.
10 This Committee will now get down to the task, after the trans-
11 script has been reduced to writing, of submitting a report. It
12 will be made available to all legislators and members of the
13 public, this report basically being sent to the U. S. Civil
14 Rights Commission.

15 In summary, let me say it has become apparent to
16 everyone here that we have an extreme situation in the State
17 of California pertaining to representation of the Mexican-
18 American. This lack of representation obviously is bringing
19 on other ills in the state pertaining to education, community
20 relations, employment, economics. Faced with that, the
21 reality is, as stated by several witnesses, that reapportion-
22 ment really is securing your own position if you are an in-
23 cumbent. This is a reality that obviously the state is going
24 to have to deal with this coming year. All we can do as a
25 Committee is to recommend those things we think will bring

1 about representation to a group of people who have not been
2 represented in the past.

3 We hope the recommendations we will submit will be
4 considered very seriously by the legislators. We fear that if
5 they are not there will be litigation pertaining to this mat-
6 ter. We also fear that probably that litigation is not going
7 to be enough to cause other people to become completely satis-
8 fied and that their frustration will be of such a nature it
9 will be very difficult to allow them to continue to believe in
10 our political system.

11 Unless there is anything further from the Committee
12 members, that is all I have.

13 FATHER CASSO: I want the record to reflect appre-
14 ciation to the staff for the preparation that went into this
15 hearing.

16 Secondly, I would move that the Advisory have some-
17 one attend the hearing on the 31st of January in order to come
18 up with a written report on the supposed police brutality
19 cases that they will be bringing to bear.

20 MR. GABOURIE: I second the motion.

21 CHAIRMAN SILLAS: There is a motion that representa-
22 tives of the Advisory Committee attend the hearing on January
23 31.

24 I am just reminded by legal counsel we don't have a
25 quorum here to vote on it.

1 FATHER CASSO: I will submit it as a request.

2 CHAIRMAN SILLAS: It will be accepted as such.

3 I want the record to reflect the appreciation of
4 this Committee to Mr. Joe Hernandez from the staff, Senator
5 Dymally's office for the tremendous assistance they have given
6 us throughout these two days, first, in obtaining this room for
7 us, secondly, for the numerous coffees they have provided for
8 us, and for the statements provided to us by the various
9 speakers.

10 MR. GABOURIE: Mr. Chairman, I would suggest Father
11 Casso's motion be put in written form and sent to all members
12 of the Advisory Committee along with a stamped return envelope
13 for their vote to be returned it. I think it is a very good
14 motion.

15 CHAIRMAN SILLAS: I don't think we have time. We
16 will just give them a call and get them to that meeting.

17 This Committee now stands adjourned.

18 (Thereupon, at 5:55 o'clock p.m., the Committee
19 stood adjourned.)
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