

## Expert Witness Report of Albert M. Camarillo

Cano v. Davis

April 12, 2002

1) I am a faculty member in the Department of History at Stanford University. I have held this position since receiving my Ph.D. degree in United States history from the University of California, Los Angeles in 1975. I am currently Professor of History and Director of the Center for Comparative Studies in Race and Ethnicity at Stanford University. My research and teaching focuses on the history of Mexican Americans in California and other southwestern states. My most recent essay, part of a two volume study focusing on race in America published by the National Academy Press, deals with the contemporary status of Mexican Americans and other Hispanics in the U.S. I have authored, co-authored, and co-edited six books, over two dozen articles and essays, and three research bibliographies dealing with the experiences of Hispanics in American society. My books entitled *Chicanos in a Changing Society: From Mexican Pueblos to American Barrios in Santa Barbara and Southern California* and *Chicanos in California: A History of Mexican Americans* include much information relevant to this case. The latter is the only available scholarly overview of the history of Mexican Americans in California. Among other topics, this book documents the history of discrimination against Mexican Americans. A volume for which I was recently commissioned by Oxford University Press, the *Oxford Encyclopedia of Mexican American Culture*, includes a comprehensive compilation of information on Mexican American history and culture, a substantial part of which will address aspects of racial discrimination. I attach a copy of my curriculum vitae.

2) As an expert witness on several voting rights cases over the past ten years, I have familiarity with the provisions of the Voting Rights Act. I served as an expert witness for the U.S. Department of Justice on *Garza v. County of Los Angeles*; for the California Rural Legal

Assistance on *Aldoroso v. El Centro School District*; and the Mexican American Legal Defense and Education Fund on *Ruiz v. City of Santa Maria*. I have testified on the subject of historical discrimination against Mexican Americans. I reviewed materials involving this case that I requested from the Mexican American Legal Defense and Education Fund (MALDEF). I also reviewed a variety of documents submitted to me by MALDEF, including its Complaint for Injunctive and Declaration Relief, "Statement of Section 2 Compliance" report, newspaper articles, memorandum of complaints, and education-related data from California public schools. This report relies on many sources that document historical patterns of bias, prejudice, and discrimination directed by Anglos against Mexican Americans in California in general and in the Los Angeles area in particular.

3) As an historian and social scientist, I have consulted the principle library and archival collections throughout the state that contain materials related to the experiences of Mexican Americans over time. Much of my past and current work focuses on Mexican-origin people in southern California, especially in Los Angeles. The research for my books and articles, as well as for this report, is based on a variety of sources: government reports, published books and essays, archival collections, U.S. Census Bureau population reports and other quantitative sources, and newspapers. As an expert in Mexican American history, I have appeared in several historical documentary films on California history. I have lectured widely at many colleges and universities and public schools throughout California and across the nation. I have consulted on many public history projects and programs funded by the California Council for the Humanities (the state affiliate of the National Endowment for the Humanities).

4) The history of Hispanic people in California runs deep. Indeed, statehood for California in 1850 was achieved only two years after the United States annexed California and much of northern Mexico as part of the treaty that ended the war between the two nations. Though guaranteed full rights as American citizens, the former Mexican residents who opted to stay in their native California after 1848 soon came to understand how non-white people would be treated in the new American society after the Gold Rush forever changed the demographic profile of the state and reduced Mexican Americans to minority status. Mexican Americans in southern California, the region of the state where they have been concentrated over time, quickly fell victim to discriminatory policies and practices that defined them as a second class, racial minority group. In every sphere of life—from work to politics to neighborhoods—Mexican Americans were pushed to the margins of society in the half century after California was admitted to the Union.

5) Numerous historians, including myself, have thoroughly documented the processes of land loss, political exclusion, residential segregation, economic inequality, and social ostracism that befell two generations of Mexican Americans after 1848 (Griswold del Castillo, 1979; Camarillo, 1979; Almaguer, 1994; Monroy, 1990; Haas, 1995; Pitt, 1966; Menchaca, 1995). Despite U.S. guarantees of the rights of Mexican American property owners, Spanish-speaking landowners were forced to prove title to their lands granted during the period Mexico controlled California (1821-1848). Faced with a new legal system where only English was spoken and where American lawyers took advantage of their unfamiliarity with U.S. laws and practices, Mexican American property owners struggled to hold on to their lands. Although most Mexican American landowners eventually proved their right to the lands previously granted them, legal

fees and extra-legal practices, usurious taxes, harassment by American squatters, and periodic floods and drought destroyed the land tenure of the great majority of Mexican Americans. The loss of their lands precipitated a catastrophic decline into poverty for Mexican Americans and resulted in their being largely excluded from political participation by the 1870s.

6) Involvement in the new American political system was key for the Mexican Americans in Los Angeles County, Santa Barbara County and San Diego County, the areas of population concentration for the group in the second half of the nineteenth century. Unlike Spanish-speaking communities in northern California, which were quickly eclipsed as a result of the changes brought by the Gold Rush after 1849, Mexican Americans in southern California continued to hold on precariously to their way of life until the 1870s. During the 1850s and 1860s, Mexican Americans shared political office holding with an increasing number of Anglos who moved to the growing towns of the region. However, as soon as Anglo Americans reached majority status in southern California towns by the 1860s and 1870s, they systematically moved to exclude Spanish-speaking citizens from meaningful participation in local affairs. Fewer and fewer Spanish-surnamed candidates appeared in elections as Anglos secured the reigns of political power. With few exceptions, polarized racial voting patterns emerged as soon as Anglos achieved numerical superiority and as they moved to dilute Mexican Americans' political power. In the City of Santa Barbara, for example, Anglo politicians in the 1870s changed the system of at-large voting to a single-member ward system thereby concentrating Mexican American voters into a specified district that ensured that they would elect only one representative who would be totally powerless against four candidates elected from the Anglo slate. To make matters worse, Mexican Americans were denied participation in the Democratic Party Central Committee in the



county and later banned from the party's state convention, prompting a delegate to report that they were "deliberately kicked out of the party" in 1882 and "treated with utter contempt" (Camarillo, 1979:76). A similar pattern of exclusion manifested itself in the City of Los Angeles by the 1870s. For example, despite the fact that Mexican Americans constituted about twenty percent of the voters in the city, and that a few continued to be appointed to local political positions, Anglos instituted a wardship-based electoral system by 1880 that fragmented Mexican Americans voters into several wards thereby nullifying any impact they might have on city-wide elections. A historian who researched these developments concluded that "For practical purposes the mass of laborers in the *barrio* remained politically inarticulate and unrepresented..." (Griswold del Castillo 1979:160). By the last decade of the nineteenth century it was rare to find a Spanish-surname elected official anywhere in southern California towns and cities. Further reinforcing Spanish-speaking citizens' political powerlessness, the State Legislature approved an English language literacy amendment to the constitution in 1894. Any voter who could not read part of the State's Constitution in English could be denied the right to vote by the registrar. Though it is doubtful this provision of state law was used to deny the right to vote for other citizens who spoke a language other than English, it certainly sealed the fate of the Mexican American electorate in California (Bollinger, 1977). (Not until 1970 was this discriminatory provision ruled unconstitutional by the California State Supreme Court in *Castro v. State of California*.) By the turn of the century, Mexican Americans were a disenfranchised minority population whose right of suffrage and other civil rights as American citizens, guaranteed by the Treaty of Guadalupe Hidalgo, had been violated and abridged.

7) The exclusion of Mexican Americans from political participation in Los Angeles and in other areas of southern California largely reflected their social status as a segregated racial minority. Spanish-speaking citizens throughout the region were residentially isolated from their Anglos counterparts and suffered the consequences of decades of discriminatory practices and laws. For example, state laws enacted during the 1850s restricted some of their cultural practices, such as bear-bull fights, and the so-called "Greaser Law," an anti-vagrancy statute, banned assemblies of Mexican Americans on Sundays. Lynchings of Mexican Americans, "race wars" in Los Angeles, and other incidents in the decades following statehood gave Mexican Americans a clear message that they now lived under a different political and legal regime that required them to retreat to the confines of their emerging *barrios* where they could minimize contact with the Anglo majority (Camarillo, 1984; Griswold del Castillo, 1979). Mexican Americans in other towns and cities throughout southern California also experienced discrimination in various forms. For example, in the original *pueblo* of San Diego (now known as Old Town), the Spanish-speaking people became physically segregated by the early 1870s when white businessmen and boosters, hoping to create a "new" San Diego away from the old Mexican town, established San Diego by the bay. Left with few resources and commercial activity, Old Town San Diego withered away over time as residents relocated and as historic adobe structures fell into decay. Not until decades later, when city fathers and businessmen from nearby San Diego deemed the old ruins of the *pueblo* a potentially valuable tourist site, were many of the buildings of Old Town restored.

8) Early in the twentieth century, immigration on a mass scale greatly expanded the size and distribution of the Mexican-origin population in the United States. By the 1920s, Los

Angeles was home to the largest population of Mexican Americans and Mexican immigrants in the nation. The legacy of anti-Mexican attitudes from the previous century were carried over and reinforced in the new century. As Mexican numbers grew, so too did a Jim Crow-like system of segregation. By the mid-1900s, for example, the great majority of Mexican American children attended segregated public schools or were isolated in "Mexican-only" classrooms separate from their Anglo peers (Gonzalez, 1990; Menchaca, 1995). Restaurants, movie theaters, public swimming pools, and other establishments routinely restricted use of facilities to Mexican Americans, especially those clearly on the darker side of the color line (Penrod, 1948; Camarillo, 1984). Residential segregation was common place by the 1930s as most cities and towns where Mexican Americans resided in substantial numbers employed racially restrictive real estate covenants which forbade the sale or rental of property to particular minority groups. Indeed, in a statewide questionnaire sent to real estate agents up and down California, the great majority reported that restricted housing was the norm and that segregation of Mexicans, blacks, and Asians was the rule. For example, the president of the realty board in the City of Compton indicated in the survey in 1927 that "All subdivisions in Compton since 1921 have restrictions against any but the white race." He added that "We have only a few Mexicans and Japanese in the old part of the city." When asked how the problem of racial minorities could be best handled, he replied: "Advocate and push improvements and the Mexicans will move... Sell the undesirables' property to a desirable" and "never sell to an undesirable." In another example, the secretary of the Whittier Realty Board reported that "Race segregation is not a serious problem with us... Our realtors do not sell to Mexicans and Japanese outside certain sections where it is agreed by community custom they shall reside." (Survey of Race Relations, 1927). Yet another

example of the segregation of Mexican Americans and Mexican immigrants unfolded in San Diego in the early 1900s. Although a small community of Spanish-speaking people continued to live in Old Town during the early twentieth century, a much larger number of Mexican immigrants settled in an area of "new" San Diego, just southeast of downtown. Real estate covenants which forbade minorities from living in most areas of the city, in addition to affordable housing units left behind by whites who moved to the expanding suburbs, ushered in a large migration of Mexican immigrants after World War I. Mexican immigrants became a major source of labor in the fish canneries, nearby factories, and other businesses that formed an important part of San Diego's growing economy. Logan Heights, once the home to white families, rapidly became known as "Barrio Logan" to Mexican Americans who were estimated at about 20,000 in the late 1920s (Camarillo, 1979). By the Great Depression, Barrio Logan contained the second largest Mexican-origin population in the state. Here, according to an historian, a segregated style of life for Mexican Americans unfolded:

The substandard conditions of the San Diego Mexican community, as reflected by their occupational status, living environment, and health problems, were magnified by their segregation. Separate schools, churches, and businesses existed for the Mexican community. (Shelton, 1975: 71)

9) The practice of realtors restricting Mexican Americans from entering white neighborhoods resulted in an overtly segregated residential pattern that forced Mexican Americans into particular areas of cities and towns. The use of the ubiquitous real estate covenant was thoroughly effective in establishing and maintaining residential boundaries between whites and non-whites during the first half of the 1900s. For example, it was reported to the Los Angeles County Board of Supervisors in 1946 that the percentage of municipalities with

restricted housing covenants excluding Mexican Americans, blacks, and Asians increased from an estimated twenty percent in the 1920 to eighty percent by the mid-1940s (John Anson Ford Collection). Despite the decision of the U.S. Supreme Court in *Shelley v. Kramer*, which ruled that restrictive real estate clauses were not legally binding, the informal practices among realtors continued well into the 1960s. The problem of residential segregation and discriminatory practices among realtors attracted the attention of the U.S. Commission on Civil Rights when it issued a report in 1966 (Ernesto Galarza Collection):

The Commission investigators also heard charges that real estate brokers refused to sell houses to Mexican-Americans in areas where members of that group had not traditionally lived. Such charges were made by Mexican-American residents of Los Angeles. . . . In 1955, a Los Angeles real estate board expelled two members for selling homes to persons referred to as a "clear detriment to property values." One of the purchasers was a Mexican-American family.

The consequences of decades of discriminatory residential segregation against Mexican American profoundly impacted where Mexican Americans could and could not live in Los Angeles-area cities. A study that analyzed data from the 1960 U.S. Census revealed that Los Angeles' Mexican Americans had the third highest index of residential dissimilarity, or segregation, from Anglos among the thirty five largest cities in the Southwest (Grebler, et al., 1970). Regardless of fair housing laws passed by the federal and state government in the 1960s, the imprint of past discriminatory real estate practices is still clearly visible today in areas of Los Angeles County that continue to have large concentrations of Spanish-surnamed residents.

10) Discriminatory practices against Mexican Americans in the housing markets of Los Angeles in the decades after World War I were obviously reactions to the growing numbers of Mexican immigrants and their children in the region. By 1930, for example, Mexican-origin people in the City of Los Angeles numbered well over 100,000 while their total population

surpassed 368,000 in the state (Camarillo, 1984). As their population increased so too did various practices that excluded them from public places. During the 1930s and 1940s, for example, it was not uncommon to see signs posted at swimming pools, barber shops, and theaters that indicated "No Negroes or Mexicans Allowed" or "White Trade Only." Other establishments, such as restaurants and public parks, did not have to post signs for Mexicans to know that "customary" exclusion kept Mexican Americans away. Throughout the 1940s, 1950s, and into the 1960s, various reports by individuals and government agencies and non-profit organizations documented the social discrimination directed against the group. For example, in a report submitted to a Los Angeles grand jury investigation in 1942 regarding the status of Mexican American youth, the problem of discrimination was identified (Report of Special Committee on Problems of Mexican Youth of the 1942 Grand Jury of Los Angeles):

Discrimination and segregation as evidenced by public signs and rules, such as appear in certain restaurants, public swimming plunges, public parks, theatres and even schools, causes resentment among the Mexican people. There are certain parks in this state in which a Mexican may not appear, or else only on a certain day of the week, and it is made evident by signs reading to the effect – for instance, "Tuesdays reserved for Negroes and Mexicans."

Discriminatory treatment of this type was documented by Mexican American community-based organizations, by various writers, and by the U.S. Commission on Civil Rights in 1970 (Penrod, 1948; McWilliams, 1948; Report of the U.S. Commission on Civil Rights, 1970). Although laws were passed by Congress in the 1960s and 1970s that made illegal past discriminatory practices that had long excluded and segregated Mexican Americans and other racial minorities from public accommodations, legacies of exclusion continued into the current period.

11) Mexican American residents in cities also suffered from the discriminatory treatment that resulted from zoning policies and institutional neglect on the part of city hall. San Diego is a case in point. Barrio Logan continued to house the great majority of Mexican Americans in San Diego well into the second half of the twentieth century. As a result of World War II and the significant expansion of industry in the post-war decades, Barrio Logan residents were increasingly pushed out to make way for junk yards, scrap metal processing centers, and other industrial development. The city's re-zoning of the area from residential to mixed use (i.e., industrial use) had a huge impact on the lives of thousands of Mexican American residents. Hundreds more in the community were dislocated as their homes were bulldozed to make way for the interstate freeway and bridge-building projects. Commercial establishments upon which residents depended for many decades were also destroyed. By the early 1970s, frustrated by decades of physical dislocation, environmental degradation, and political powerlessness in halting the destruction of their community, Barrio Logan residents banded together to salvage a parcel of land under the Coronado Bridge they named "Chicano Park." The successful battle they waged for the establishment and expansion of Chicano Park during the 1970s and 1980s symbolized the aspirations of Barrio Logan residents to gain some semblance of control over their own lives as residents of an area of San Diego long ignored by City Hall and most residents of the city (Chicano Park, 1988; *San Diego Business Journal*, 12/7/92). Today, Barrio Logan residents continue to advocate for the cleaning up of environmental hazards that contaminate their neighborhoods as they struggle to rebuild the heart of San Diego's largest and oldest Mexican American community (*San Diego Business Journal*, 11/3/97 and 9/10/01).

12) Nowhere in the state were the effects of discrimination felt by Mexican Americans more severely in the twentieth century than in Los Angeles city and county. The history of pervasive social discrimination in Los Angeles in the areas of education, housing, and access to public accommodations all affected the ability of Mexican Americans to participate in the political process. In addition, policies and practices limiting or restricting Mexican Americans from exercising their right to vote and electing candidates of choice greatly hindered the inclusion of the state's largest ethnic group into the body politic.

13) Practices that were meant to exclude Mexican Americans and other minorities from participation in mainstream society had analogs in the political arena. By the 1930s and 1940s, when tens of thousands of the children of Mexican immigrants came of age, they realized that their rights as citizens, including their right to vote and elect candidates of choice, were hindered by various discriminatory policies and practices. . The lack of any elected and appointed political representatives from the large Mexican American community in Los Angeles in the 1940s prompted the chairman of the county's Coordinating Council for Latin American Youth to write Governor Earl Warren. "May we call your attention to the fact," the chairman of the Council, Manuel Ruiz, respectfully stated, "that although there are close to 300,000 Spanish speaking voters in Los Angeles County that there has never been appointed to the bench, or to any other important position, a person of Mexican or Spanish extraction whose status at the same time has been one of leadership among these people" (Manuel Ruiz Collection). The first Mexican American to win a city council seat in Los Angeles in the twentieth century was Edward Roybal, but after he was elected to Congress in 1960, it was not until the mid-1980s that another Mexican American joined the ranks of this political body. The Los Angeles County Board of Supervisors,



arguably the most powerful political entity in the region, did not seat a Mexican American until after the Ninth Circuit Court of Appeals affirmed a district court finding that the county supervisors had intentionally acted to fragment the Hispanic vote, a direct violation of the Voting Rights Act. Vote dilution, gerrymandering, and voter intimidation over many decades in Los Angeles were among the primary factors explaining why Mexican Americans remained outside the political arena through most of the twentieth century.

14) The problem of political gerrymandering and fragmentation of Mexican American voters, exacerbated by voting irregularities and other discriminatory practices, continued to perplex leaders and supporters of Los Angeles' largest minority group into the 1970s and after. In 1966-67, for example, the California Advisory Committee to the U.S. Commissions on Civil Rights concluded in its report a discussion of some of the problems that explained why Mexican Americans in Los Angeles remained largely politically unrepresented (Ernesto Galarza Collection):

East Los Angeles, the nation's largest Mexican-American community, has been effectively sliced up so that it would be difficult for a Mexican-American candidate to win a city, state, or federal election as a representative of the district. As an example, East Los Angeles is divided into six different State Assembly districts, none with more than 25% Mexican-American population. Elections for seats on the Los Angeles City board of education are districtwide, making it nearly impossible for a Mexican-American candidate to win. There is no Mexican-American in the California State Assembly or Senate. Edward Roybal is the lone Mexican-American from California in the U.S. House of Representatives.

In 1968, the Southwest Council of La Raza, an advocacy organization for Mexican Americans, reinforced this conclusion drawn by the California Advisory Committee. The Council stated that "Due to political gerrymandering, Mexican Americans in East Los Angeles have no expressions or resolutions of their problems" and that "The political disenfranchisement of Mexican

American...continues to be the root cause of the inability of the community to promote their own causes and get redress of their grievances" (Southwest Council of La Raza, Galarza Collection).

In a report released in 1971 by the California Advisory Committee to the U.S. Commission on Civil Rights, members again pointed to a history of racism and exclusion in explaining the relative omission of Mexican American elected officials in local and state government (*Political Participation of Mexican Americans in California*).

15) In addition to the problems brought about by gerrymandered political districts in which thousands of Mexican Americans resided, the group was also hindered in its political aspirations by various voting irregularities and illegal practices. For example, during the 1950s and 1960s, there were hundreds of claims made by Mexican American voters in Los Angeles that they had experienced intimidation at the polls from voting site registrars; some were harassed over English language literacy issues; and others received telephone calls indicating they could not vote unless they brought their registration stubs with them to the polls (American G.I. Forum, Citizens' Committee for Fair Elections, 1958; Los Angeles *Herald Examiner* 10-29-64; Los Angeles *Times*, 11-2-64)

16) The Hispanic-origin population continues to grow in unprecedented fashion. In 1980, for example, Hispanics in California numbered about 4.5 million and constituted slightly less than twenty (20) percent of the state's total population. Twenty years later, as Census 2000 figures revealed, the percentage of Hispanics as part of California's total population rose to nearly thirty-three (33) percent; they now number about eleven million. Over 4.2 million Hispanics live in Los Angeles County alone, according to the Census Bureau, and they comprise forty seven (47) percent of the total population in the City of Los Angeles (Census 2000 Brief:

*The Hispanic Population*, May 2001). In the San Fernando Valley area of Los Angeles County, Hispanics constitute eighty-nine (89) percent of the population in the valley's oldest municipality, the City of San Fernando. Elsewhere in southern California, for example, Hispanics in San Diego County now account for twenty seven (27) percent of the total population and form twenty five (25) percent of the one and quarter million persons in the City of San Diego (U.S. Census 2000).

17) Hispanics are also a group that continues to exhibit indices of extreme social disadvantage. In a recent report published by the Public Policy Institute of California, entitled *A Portrait of Race and Ethnicity in California*, one can scan every major measurement of well being and quickly come to the conclusion that Hispanics as a group occupy the bottom rungs of the socioeconomic ladder. They are among the least educated and among the most likely not to complete high school (in 1997, for example, Hispanics had a high school completion rate of only fifty-five percent in comparison to whites, Asians, and African Americans whose rates were above ninety percent). These educational disparities persist to date and appear in scoring data from the state's STAR test. In 2001, in San Diego County, the mean scaled score for white test takers was higher than the mean scaled score for Latinos in every subject (4-5 subjects tested per grade level) at every grade level (grades 2-11). More telling, without exception (out of 43 combinations of grade and subject matter), the percentage of white test takers in San Diego County scoring above the 50th national percentile rank was at least 29 points higher than the equivalent percentage of Latino test takers. In 2001, in Los Angeles County, the mean scaled score for white test takers was, as in San Diego County, higher than the mean scaled score for Latinos in every subject at every grade level. And, without exception (out of 43 combinations of

grade and subject matter), the percentage of white test takers in Los Angeles County scoring above the 50th national percentile rank was at least 25 points higher than the equivalent percentage of Latino test takers. Hispanics have the lowest levels of median family income despite some of the highest labor market participation rates of any group (by 1998, Hispanic and African American family median income was only fifty-one and sixty percent, respectively, of family income for non-Hispanics whites in California). The poverty rate for Hispanics in 1995 was the highest of any group in the state at about twenty eight percent (by contrast, the rate for non-Hispanic whites was ten percent). They suffer from inadequate health care service and lack of health insurance coverage. They are, in short, a group that will become the majority population in the state within the next generation and a group that must be prepared to more fully access opportunities in education, employment, health care, and other areas of California society in order to improve its status over time. Current indices of social and economic disadvantage among Hispanics reflects a legacy of discrimination and exclusion many generations old. The laws enacted in the 1960s and 1970s to protect the rights and increase opportunities for Hispanics and other racial minorities have helped a great deal, but they have not leveled the playing field completely as the nation's largest minority groups continue to carry the weight of history on their backs.

18) Many old problems of economic and income equality and educational failure persist and are taking a heavy toll on large sectors of the Hispanic population in California. And despite political gains and a growing electoral influence in local and state-wide elections, Hispanic voters still face issues that hinder their maximum participation in the political process. In the 1990s, intimidation of Hispanic voters, a problem many decades old, took new twists. For

example, in 1996 Governor Pete Wilson, alarmed when it was reported that a few Mexican immigrants, who it turned out had past criminal records, were granted naturalized status as U.S. citizens, grossly exaggerated the problem and set off reactions in certain quarters that lead to a proposed campaign to thwart "illegal" Hispanic voters when they went to the polls. An article in Los Angeles *Times* noted that "Wilson slurred many law-abiding new citizens by suggesting that perhaps thousands of criminals were naturalized" (*Times*, 10-22-96). The Los Angeles district director of the Immigration and Naturalization Service quickly denied Wilson's reckless allegations. Wilson's comments were reminiscent of a similar type of voter intimidation initiative that had been launched in Orange County in 1988 as unofficial guards patrolled voting sites with signs in English and Spanish warning non-citizens against voting (Los Angeles *Times*, 10-22-96 and 10-30-96; letter to U.S. Attorney General Janet Reno , 10-31-96, from leaders of several civil rights organizations). Adding fuel to apprehensions among Hispanics about what was perceived by many to be a growing anti-Hispanic climate in California, Propositions 187 and 209 contributed greatly to these fears. The proposition to restrict public services and education to illegal immigrants and their children won easily with a large majority vote in 1994. Though Proposition 187 was eventually ruled unconstitutional in a federal court, it served notice to hundreds of thousands of Hispanics that California was a state that did not value a large percentage of its Hispanic community. Proposition 209, an anti-affirmative initiative launched a few years later, provided another negative message that was not lost on Hispanic voters (San Francisco *Chronicle*, 11-28-96; Los Angeles *Times*, 10-29-98). Both of these propositions revealed how polarized issues resulted in an increasingly polarized electorate with Hispanics strongly against these propositions while Anglos were strongly in support (Los Angeles *Times*,

California Exit Poll, 11-8-94). Proposition 227 in 1998, an anti-bilingual education initiative, exacerbated the problem further. 63% of Hispanics voted against Proposition 227 while 67% of Anglos voted in support (*Los Angeles Times*, California Exit Poll, 6-2-98). These types of political campaigns, together with decades of discrimination against Hispanics, contributed to the development of a negative racial climate in California during the 1990s.

19) The consequences of the various propositions discussed above on the development of a negative racial political climate manifested itself in many cities and regions throughout California. The San Fernando Valley is a case in point. The annexation of much of the valley by the City of Los Angeles in 1915 set in motion patterns of residential development that also shaped the greater Los Angeles region. Early on in the development of the valley, minorities were largely restricted to two areas in the northeast, Pacoima and San Fernando. Mexican Americans began to settle in both locations in the pre-World War II decades and their communities greatly expanded in the post-war years. During and after the war, blacks were also attracted to these areas, the only neighborhoods in the valley where they were allowed to live in new housing tracts (*Times*, 8/28/2002). Over time, more and more Hispanics settled in the area and they now form the large majority of residents in this northeast section of the valley. Several ballot measures in the 1990s revealed the rifts between the Hispanics and their white counterparts in the valley. For example, Proposition 187, the "Save Our State" campaign, received a great boost from the valley when a group of local citizens organized to form "Voice of Citizens Together." Alarmed by what they believed was a growing crisis of illegal immigration, they played a key role in spearheading a movement that resulted in the passage of Proposition 187 in 1994. Exit polls conducted during the November 1994 elections revealed that valley residents felt

more strongly than most Californians that immigration was the primary issue that brought them to the polls (*Times*, 11/10/94, Valley Edition). This reaction against immigrants, which many Hispanics in the valley saw as an attack against all Hispanics, created a reaction that stirred the emotions. For example, angered by the growing public sentiment against Hispanic immigrants, over 2,000 Latino students at fourteen local valley schools walked out of their classes in a pre-election sign of protest against the measure. They were part of a group of 10,000 students who also participated in the peaceful protest throughout the Los Angeles metropolitan region (11/3/94, Valley Edition). Two years later, Proposition 209 also divided valley residents largely along racial lines. Valley residents approved the measure with a far higher percentage fifty-three (53) percent in comparison to other Los Angeles city and county voters (39% and 47% respectively supported the measure). Hispanic and African American voters in the Pacoima area, by contrast, voted the measure down by a two-to-one margin. (*Times*, 11/9/96, Valley Edition). Therefore, it was not surprising, given the climate of distrust and growing racial polarization among many residents in the valley over incendiary propositions, that a campaign that pitted a Latino candidate against a white candidate of Jewish background for the Democratic candidacy for the 20<sup>th</sup> Senate District ended up a contest that raised inter-ethnic tensions. According to a political commentator who observed the acerbic political contest, "Charges of 'race baiting' and 'racially offensive' tactics flew back and forth between the candidates and their campaigns" (*California Journal*, 9/1/98). This particular political campaign demonstrated how racial politics was affected by the climate of opinion during the 1990s in California inflamed by several key propositions which at heart involved racial issues. It is not surprising, therefore, to note that it

was not until the 1990s that the first Hispanic was elected to office despite the fact that a very large Latino population had long existed in the San Fernando Valley.

20) Another problem that persists into the twenty first century is the gap that currently exists between Hispanics and all other groups with regard to the percentage of eligible population who register to vote and who actually cast their votes on election day. For example, in 1996 Hispanics had the lowest percentage of eligible population that registered to vote (68%) and eligible population that voted (54%). By contrast, eighty-one (81) percent of the white population and seventy-seven (77) of the African American eligible population registered to vote and sixty-eight (68) percent and sixty-four (64) percent respectively of the eligible population voted in 1996 (*A Portrait of Race and Ethnicity in California*, 2001).



	<u>California 1996</u>		
	Hispanics	Whites	African-Americans
% of eligible registered to vote	68%	81%	77%
% of eligible that voted	54%	68%	64%

If Hispanics are to be incorporated into the fabric of American society as they emerge as the majority population in the state of California over the next twenty or thirty years, their full integration as participants in the political process will be critical to the preservation of our participatory democracy. The case under consideration --involving the recently approved redistricting plan in California that diminishes Hispanics' opportunity to elect candidates of choice in congressional and senatorial districts in Los Angeles County to achieve more electoral strength in a district in San Diego County --points to the fact that Hispanics have not yet overcome obstacles that prevent them from exercising their full potential as voters. This problem is particularly important as the voting age population of Hispanics continues to soar in California. It is also especially important for Hispanics to have equal opportunity to elect candidates of choice as recent research indicates that the effects of minority-majority districts and minority representation and political participation are intimately tied to one another. Voter participation among Latinos is particularly high in districts where they enjoy both majority status as well as descriptive representation (i.e., representation by legislators of the same race or ethnicity). (Gay, 2001:vii) Given the dramatic growth of the voting age and registered voters among Hispanics, political districts must be drawn or redrawn with these important

considerations in mind. Redistricting plans that maximize Hispanic voter influence will be one of the keys for narrowing the electoral participation rate for Hispanics.

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# Exhibit F

*Garza* Stipulation

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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

YOLANDA GARZA, et al.,	)	No. CV 88-5143 KN (Ex)
	)	
Plaintiffs,	)	
	)	
UNITED STATES OF AMERICA,	)	No. CV 88-5435 KN (Ex)
	)	
Plaintiff,	)	
	)	
LAWRENCE K. IRVIN, et al.,	)	STIPULATION AND ORDER
	)	DESIGNATING LOS ANGELES
	)	COUNTY FOR COVERAGE
Plaintiff-Intervenors,	)	UNDER SECTION 3(c) OF
	)	THE VOTING RIGHTS ACT,
v.	)	42 U.S.C. 1973a(c)
	)	
COUNTY OF LOS ANGELES, et al.,	)	
	)	
Defendants.	)	

1 The Court has retained jurisdiction of this action "to  
2 consider the request of plaintiffs for relief under Section 3(c)  
3 of the Voting Rights Act," 42 U.S.C. 1973a(c). Order Re: Special  
4 Election Schedule entered November 13, 1990, para. 16. The  
5 parties to the litigation have conferred and agree that the issue  
6 of Section 3(c) coverage should be settled without the necessity  
7 for further litigation. Accordingly, the parties have consented  
8 to the entry of the following stipulation and order regarding  
9 coverage under Section 3(c). The Court finds that the entry of  
10 this stipulation and order is lawful and justified in light of  
11 the Court's findings and orders of June 4, 1990, August 3, 1990,  
12 August 6, 1990, and November 13, 1990 regarding the liability and  
13 remedy phases of this litigation.

14 THEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED that:

15 1. From the entry of this Order until December 31, 2002, as  
16 related to the method of electing the Los Angeles County Board of  
17 Supervisors, no voting qualification, or prerequisite to voting,  
18 or standard, practice or procedure with respect to voting  
19 different from that in force or effect on November 14, 1990,  
20 shall be enforced, unless and until the Court finds that such  
21 qualification, prerequisite, standard, practice, or procedure  
22 does not have the purpose and will not have the effect of denying  
23 or abridging the right to vote on account of race or color or  
24 membership in a language minority group; provided that such  
25 qualification, prerequisite, standard, practice, or procedure may  
26 be enforced if the qualification, prerequisite, standard,



1 practice, or procedure has been submitted by the chief legal  
2 officer or other appropriate official of the County to the  
3 Attorney General of the United States and the Attorney General  
4 has not interposed an objection within sixty days after such  
5 submission, except that neither this Court's findings nor the  
6 Attorney General's failure to object shall bar a subsequent  
7 action to enjoin enforcement of such qualification, prerequisite,  
8 standard, practice or procedure.

9 2. Changes affecting the method of electing the Los Angeles  
10 County Board of Supervisors as contemplated by this Order would  
11 include, by way of example, any of the following changes: a)  
12 redistricting or other change in the boundaries of the  
13 supervisorial districts or constituency of supervisors; b) change  
14 in number of members of the board of supervisors; c) change in  
15 method of determining the outcome of a supervisor election, e.g.,  
16 by requiring a plurality vote; d) change in the eligibility of  
17 persons to become or remain a candidate for supervisor; e) change  
18 in the term of office of a supervisor, e.g., by shortening or  
19 lengthening the term, by changing the numbering of the districts  
20 so as to affect the election schedule, or by limiting the number  
21 of terms a person can serve as supervisor; f) change in the  
22 necessity of or methods for offering issues and propositions for  
23 approval by referendum related to the method of electing the  
24 board of supervisors; g) change in the method of filling  
25 vacancies on the board of supervisors; and h) change in the rules  
26  
27  
28

1 or procedures authorizing or governing the supervisorial  
2 redistricting process.

3 3. Changes affecting voting precinct boundaries, polling  
4 place locations, or the times and places for voter registration  
5 are not affected by the terms of this Order.

6 4. In the event that the defendants submit a change  
7 affecting the method of electing the board of supervisors to the  
8 Attorney General of the United States for review pursuant to this  
9 Order, the submission shall be governed by the Procedures for the  
10 Administration of Section 5 of the Voting Rights Act of 1965, as  
11 amended, 28 C.F.R. 51.1 et seq. (1990), and any successor  
12 regulations.

13 5. As related to the method of electing the Los Angeles  
14 County Board of Supervisors, this Order does not change any  
15 voting qualification, prerequisite to voting or standard,  
16 practice or procedure with respect to voting in force or effect  
17 on November 14, 1990, except to the extent that paragraph 6 of  
18 this Order may be considered a modification of state law or the  
19 Charter of the County of Los Angeles.

20 6. For any redistricting plan covered by paragraph 1 of  
21 this Order, the period of time involved in seeking and obtaining  
22 a ruling on the merits of the plan pursuant to this Order from  
23 the Attorney General of the United States or this Court,  
24 whichever ruling occurs first, shall not be counted in  
25 determining whether the deadline for the adjustment of boundaries  
26 of supervisorial districts under state law, e.g., California

1 Elections Code §§35001-35002, or the Charter of the County of Los  
2 Angeles, e.g., Article II, Section 7, has been satisfied.

3 7. Pursuant to Section 3(c), 42 U.S.C. 1973a(c), this Court  
4 shall retain jurisdiction of this action until December 31, 2002.

5  
6 The terms of the above stipulation are approved.

7 IT IS SO ORDERED

8 Done this 25 day of April, 1991 DAVID V. KENYON

9  
10 DAVID V. KENYON  
11 United States District Judge

12  
13 Respectfully submitted,

14 DATED: April 17, 1991

15 LOURDES G. BAIRD  
16 United States Attorney

17 JOHN R. DUNNE,  
18 Assistant Attorney General  
19 GERALD W. JONES  
20 STEVEN H. ROSENBAUM  
21 SHEILA K. DELANEY  
22 ROBERT S. BERMAN  
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25 By: Sheila K. Delaney  
26 ATTORNEYS FOR THE UNITED STATES

27 DATED: April 18, 1991

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# Exhibit G

Professor Ernesto Chávez

Report

## Report of Ernesto Chávez

I am a faculty member in the Department of History at the University of Texas at El Paso. I have held this position since receiving my Ph.D. degree in United States history from the University of California, Los Angeles in 1994. I am currently Associate Professor of History. My research and teaching focuses on the history of Mexican Americans in California and the nation. My most recent essay, to be published in the *Journal of the History of Sexuality* in fall 2011, focuses on the construction of silent film actor Ramón Novarro's star image. I have authored two books, three articles, five essays, and two review essays dealing with Latinos in U.S. society. My books entitled, *¡Mi Raza Primero! (My People First!): Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978* and *The U.S. War with Mexico: A Brief History with Document* include much information relevant to this case. Both of these books examine the history of discrimination against Mexican Americans. My current project, a biography of silent film star Ramón Novarro, is not only concerned with the life of this actor, but also with the discrimination that he and his fellow ethnic Mexicans faced in Los Angeles from the 1910s to the 1960s. I attach a copy of my curriculum vitae.

As a U.S. historian, I am familiar with the provisions of the Voting Rights Act. Although I currently reside in Texas, I am a native of Los Angeles, having been raised in the City Terrace neighborhood of East Los Angeles, an unincorporated section of Los Angeles County. My parents continue to live in this area and I spend my summers there. As a historian I have consulted the principle historical writings related to the experiences of Mexican Americans over time. My past and current work focuses on the ethnic Mexican community in the United States, particularly in the Los Angeles region. The

research for my books and article, as is this report, is based on a variety of sources: government documents, published books and essays, archival collections, U.S. Census population reports, and newspapers and other periodicals. As an expert in Mexican American history I have appeared in a historical documentary film on Westward Expansion and the U.S.–Mexico War. I have lectured at several universities across the nation.

The ruling in the 1990 *Garza v. Los Angeles County Board of Supervisors* made clear that the history of official and deliberate discrimination against ethnic Mexicans/Latinos in Los Angeles County is long and varied and stretched back to the 19<sup>th</sup> century when in the aftermath of the U.S.-Mexico War of 1846-48 the existing Mexican inhabitants of the area were incorporated into the United States. This report seeks to augment and amplify that argument by examining the history of official discrimination in Los Angeles County from the nineteenth century to the present. Although the *Garza* case facilitated the election of a Latina Los Angeles County Board of Supervisor’s member (Gloria Molina), the institutionalized racism of the past has “trickled down” to the present and ensures that that official discrimination against Latinos in Los Angeles County continues.

Beginning with the January 1847 Treaty of Cahuenga, which ended the U.S.-Mexico War in California in January 1847, and then through the Treaty of Guadalupe Hidalgo, Mexicans were granted U.S. citizenship. The granting of American citizenship, because of the stipulations of the 1790 U.S. Naturalization Act, which declared that only whites could be U.S. citizens, in effect made Mexicans legally, but not socially white. Given this distinction, Mexican Americans, as the 1954 U.S. Supreme Court case



Hernandez v. Texas would declare, were made into a class apart. Recent scholarship in Mexican American history argues that ethnic Mexicans (that is Mexican Americans and Mexican immigrants together) should be viewed as a race, rather than as an ethnic group. This distinction is important for it helps us understand that the ethnic Mexicans as a whole have not been allowed to assimilate into mainstream culture and instead are viewed as different, not white, not black, but simply different (Gómez, 2007). These notions of ethnic Mexicans as different, which is predicated on the notion that they constitute a race helps us understand the long history of discrimination waged against them. These historical conditions have guaranteed that in the present day racism has taken the guise of common sense. Scholars Michael Omi and Howard Winant, argue that racism occurs on the every-day level stemming from institutional circumstances that have caused the conditions that allow for the continued discrimination of a group and thus it appears that those conditions are “natural” and therefore to think in this manner is simply common sense (Omi and Winant, 1994).

Common sense racism’s roots vis-à-vis Latinos can be found in the mid-19<sup>th</sup> century. The first signs of ethnic Mexicans being treated as a race, and thus their unequal conditions being naturalized in Los Angeles County, stem from California’s achievement of statehood in 1850. California’s incorporation into the union stemmed from the rise in the white population of the territory following the discovery of gold in 1848 and the subsequent Gold Rush a year later. The Gold Rush set the foundation for California’s development and guaranteed that ethnic Mexicans would be marginalized, and suffer severe economic loss. Indeed, the era following the U.S.-Mexico War set the foundation for the social, political, and economic incorporation of ethnic Mexicans into the nation.

Given the importance of this era, historians, including myself, have documented this process of disenfranchisement in the era following the 1848 (Pitt, 1966; Griswold del Castillo, 1979; Camarillo, 1979; Monroy, 1990; Almaguer, 1994; Haas, 1995; Deverell, 2004; Chávez, 2007). Despite the Treaty of Guadalupe Hidalgo's guarantee to uphold ethnic Mexicans' property rights, Congress approved the California Land Act of 1851, which set up a commission to adjudicate land titles granted in the Spanish and Mexican eras in the state. Targeted in this process was land throughout present-day Los Angeles that is presently prime real estate. Spanish-Speaking landowners had to prove title to their property and deal with an unfamiliar U.S. legal system. Consequently they hired American attorneys and although 2/3s of the land titles were upheld, ethnic Mexican landowners were forced to sell their land to pay legal fees and comply with usurious taxes. They subsequently lost more land to American squatters and floods and droughts added to their woes. The loss of their land guaranteed that ethnic Mexicans would decline into poverty and become largely excluded from political participation in the following decades (Griswold del Castillo, 1979).

Although the loss of political power was a statewide phenomenon, in the City of Los Angeles Mexicans were disenfranchised despite the fact that they constituted 20% of the voters in the city. This political marginalization was the result of the 1880 Anglo instituted discriminatory ward-based electoral system that fragmented Mexican Americans into several wards and thus dissipated their power in citywide elections, putting the nail in the coffin of Mexican American political power in Los Angeles and ensuring that Cristóbal Aguilar became the last ethnic Mexican mayor until 2005. In the

same decade Julian Chávez would become the last Mexican American member of the Los Angeles County Board of Supervisors for 115 years (Griswold del Castillo, 1979).

The loss of political power was coupled with the criminalization of Mexican Americans. This was most evident in the beginning of the American period when in 1855 the California legislature passed several laws aimed at controlling ethnic Mexican customs and leisure activities. Among these was a “Sunday Law,” which imposed fines from ten to fifty dollars for engaging in “barbarous or noisy amusements” including bullfights, horse races, and cockfights. In 1860 the City of Los Angeles added to these regulations by passing a law restricting fiestas. California’s legislature also passed a thinly veiled anti-vagrancy statute, popularly known as the “Greaser Law,” which targeted unemployed Mexicans, who at the discretion of local law authorities could be called vagrants. These laws were a result of the ascendancy of the Know Nothing Party in Northern California and its ability to control state politics and in turn usher in a new era of discrimination against Mexican Americans and made clear to them that they did not have equal protection under the law (Griswold del Castillo, 1979).

The legal system was also stacked against ethnic Mexicans in this era. There was a lack of competent Spanish-Speaking lawyers and jurors in Los Angeles, which made true justice hard to come by for ethnic Mexicans. Although interpreters were appointed to remedy this situation, their interpretations were usually distorted and biased. Adding to this judicial unresponsiveness vis-à-vis ethnic Mexicans was the fact that from 1887 and 1900 out of the 194 men admitted to the state bar only 3 were Spanish-surnamed. This paucity of attorneys to serve the ethnic Mexican community resulted in a high conviction rate for this group. For example, in 1856 more than half of those sentenced for

major crimes in Los Angeles were Spanish surnamed. From 1887 to 1890, although ethnic Mexicans represented 19 percent of the Los Angeles's population, they comprised 22 percent of those convicted for federal crimes in the District Court for the city. Mexicans in Los Angeles County alone comprised almost 30 percent of those convicted of criminal offenses in 1887. In addition, between 1854 and 1870 thirty-seven lynchings, mostly of Mexicans and some African Americans, occurred in Los Angeles. These discriminatory practices are made clear when we compared the discrepancy in terms of sentencing. An 1887 edition of Spanish-language newspaper *El Echo de la Patria* reported that an Anglo who was convicted of murdering an ethnic Mexican was sentenced to one year in jail and eventually only served 70 days, while in the same year a Mexican-American convicted of disorderly conduct was given a 90-day jail term (Griswold del Castillo, 1979).

This discriminatory terrain would be in place in the early 20<sup>th</sup> century when the turmoil of the Mexican Revolution coupled with the growth of economic opportunities in transportation, manufacturing and agriculture ensured the massive migration of a Mexican-origin population to Los Angeles. By 1928 the city would hold the largest ethnic Mexican population outside of Mexico City (Sánchez, 1993). Yet there was a high turnover of Mexican laborers in Los Angeles due to low wages, high cost of living, discrimination, and excessive competition for jobs. Employment opportunities in the skilled trades and professions proved scarce for the first-second, and third generation of Mexican laborers in Los Angeles. There was little social mobility for this group. A 1920 study by USC Sociologist Emory Bogardus showed that in 1917-1918 nearly 90 percent of third-generation Mexican Americans were employed as blue-collar workers in Los

Angeles. This lack of social mobility was compounded by the presence of negative stereotypes and prejudice against ethnic Mexicans in this period. In the 1920s employers viewed Latinos as menial laborers incapable of doing work that required skill or intelligence (Romo, 1983).

Racial bigotry against ethnic Mexicans in Los Angeles was rampant and led to them being viewed as a “problem” to be solved through the use of discriminatory practices in all sectors of Los Angeles County. Historian George Sánchez argues that if one would measure the quality of life in Los Angeles for Mexicans in this era using housing conditions and health it would be poor. Most Mexicans lived as best they could given their poverty, single Mexican men rented a single bed in a larger house, while the most common dwelling place for families was the house court, dubbed the “cholo court” because of the high rate of Mexicans dwelling there, which ensured that they would become the target of investigation by the Los Angeles City Housing Commission. One observer likened these housing units to “stalls for cattle instead of homes for humans” (Sánchez, 1993).

One such housing court provides a telling example for the conditions there. Fifty-five people lived there, sharing three toilets each for men and women, along with hydrants that were used as sinks. Families composed of three to six members filled the nineteen occupied homes. The men who lived at this particular housing court at 742 New High Street, near the Los Angeles Plaza, earned \$1.50 to \$2.50 working manual labor jobs. The construction of the Civic Center and Union Station soon caused a rise in rents and more poor Mexicans sought dwellings beyond the city limits in unincorporated East Los Angeles. Most of the new immigrants moved to the Belvedere section of Los

Angeles County because it was planned for single family residences, yet given that it was situated outside of the city limits, developers were able to ignore city ordinances concerning sanitation and overcrowding, building three shacks on one single lot, and making for high population density. This ensured poor light, ventilation and plumbing. In addition to houses, gas works, soap factories, and meat packing plants soon were established there, adjacent to dwellings, guaranteeing noxious odors and pollution. Even if they could afford to live in other places restrictive housing covenants, which allowed only whites to live in some areas (including Compton, Whittier, and many other places) prevented Mexicans from living in other parts of Los Angeles County. These restrictions existed well into mid-century and increased over time. A 1946 report to the Los Angeles County Board of Supervisors informed it that municipalities with restrictive covenants excluding Mexicans, Africans Americans, and Asians had increased from twenty percent in 1920 to eighty percent by the mid 1940s (Sánchez, 1993).

With the start of the Great Depression in 1929, the era of massive migration to Los Angeles gave way to efforts to rid the area of ethnic Mexicans and engendered numerous discriminatory practices. Most employers looked upon Mexicans as cheap labor and the economic hard times caused jobs to dry up. In response to the economic crisis, the California state legislature passed the 1931 Alien Labor Act making it illegal for any company doing business with the government to employ “aliens” on public jobs. It was estimated that this law immediately excluded 900 Mexicans from work in Los Angeles, causing many of them to seek help from public and private charities. Aimed at non-citizens, the law opened the door for discrimination against American-born citizens of Mexican descent, as it was hard to distinguish between the two groups (this was in the

era before Social Security cards and other documents used to identify citizens).

Angelenos decided to solve the unemployment problem by implementing a repatriation/deportation program designed to send Mexicans back to their homeland (Sánchez, 1993).

Local officials, the business community, and federal authorities in the Labor Department worked together to initiate the program to rid the nation of ethnic Mexicans, promising to send 400,000 south of the border. Los Angeles officials were more than willing to help this effort. This led to a high-profile sweep of the Plaza district in February 1931, which resulted in the round up of four hundred people being detained and seventeen people being taken into custody. Although only 300 Mexican aliens were actually deported during the entire campaign, these actions scared the ethnic Mexican community and encouraged Mexicans of varying legal status and nationality (including American-born citizens of Mexican descent) to consider leaving Los Angeles (Sánchez, 1993).

In an effort to help things along Los Angeles County officials targeted those Mexicans on relief and initiated a program to pay their train passage to Mexico. The first train of Los Angeles County-sponsored repatriates left Los Angeles in March 1931. Despite news that the situation for repatriates was dire in their homeland and much worse than in the United States, county officials continued to promote the program and continued to send an average of 908 people in two month intervals to Mexico. Numbers declined in August 1933, with the train bound for Mexico that month only containing 453 people, and numbers dwindled after that, which led to the program's eventual end in May 1934 after fifteen shipments (Sánchez, 1993). Repatriation's major outcome was to

silence the Mexican immigrant generation in the city and with the construction of Union Station in downtown, the ethnic Mexican population was displaced from the city's center and moved into East Los Angeles, which in turn increased residential segregation and decreased inter-ethnic contact. Thus, local officials' discriminatory practices designed to rid Los Angeles of its ethnic Mexican population resulted in this group becoming an "invisible minority" (Sánchez, 1993).

During the Second World War this "invisible minority" would soon become quite visible in the eyes of mainstream Los Angeles as Mexican American youths, in an effort to forge their own cultural styles in the city, soon became the targets of violence. As a means of self-expression Mexican American males—as did African American and Filipino youngsters—donned the fabled zoot suit with its broad-brimmed hat, long jacket, and draped trousers tapered at the ankles. Given the War Production Board's March 1942 regulations for wartime manufacture of streamlined suits with minimal fabric, the zoot suit and those who wore it were soon viewed as un-American and became targets of discrimination (Sánchez, 1993).

Two interrelated events serve as examples of the intense racism against Mexicans in Los Angeles in this era, the murder of José Díaz and the subsequent Sleepy Lagoon Trial and the Zoot Suit Riots. Following Díaz's death the Los Angeles County Sheriff's Department rounded up members of the 38<sup>th</sup> Street Club and accused them of killing the young man despite not knowing for certain the cause or manner of this death. The only thing that linked Díaz and the club members was that they had both attended the same party at the Williams Ranch, site of the so-called Sleepy Lagoon, in present-day Bell, California. However, the fact that the accused youths were Mexican American, working-



class, and wore the zoot suit made them suspect. Law enforcement officials soon filed a report to the Grand Jury declaring that Mexicans were inherently criminal and biologically prone to violence. Following a trial full of irregularities, including not allowing the young defendants to cut their hair or change their clothes, despite months in jail, in January 1943 the 17 youths were found guilty of crimes ranging from assault to first-degree murder (Sánchez, 1993).

The conviction of the Sleepy Lagoon defendants ensured that all Mexican American youths would be viewed as a threat to the instability of Los Angeles. The *Los Angeles Times* and other newspapers featured lurid accounts of alleged Mexican American youth violence, replacing depictions of Japanese Americans as the enemy within. These actions heightened tensions in the city and in June 1943 led to ten days of violent clashes between Mexican American youths and Anglo servicemen, helped by civilians, in what has come to be known as the Los Angeles Zoot Suit Riots. Sailors grabbed one youth, Pedro García, out of his aisle seat at the RKO theater in downtown, he was taken out to the street, his clothes were then ripped off him and he was kicked, beaten and left unconscious all while nearby policemen witnessed the incident. The violence perpetrated against García was only one of the many that occurred during this time (Sanchez, 1993).

During the Postwar Era ethnic Mexicans in Los Angeles County faced continued discrimination. Developers in this era refused to sell homes to Mexican Americans, Japanese Americans, African Americans, and Jews in the City of Los Angeles. It was only through the intervention of Edward Roybal, the city's newly elected Mexican American councilman, who was denied a home despite being a veteran and elected

official, that the practice was ended within the city limits. It continued, however in other parts of the county, until the 1960s. The housing discrimination that Roybal sought to eliminate worsened, especially for the poor and minority groups during the postwar era because of the surge in population. Taking advantage of federal funds for public housing, the Los Angeles City Council authorized the City Housing Authority to build 10,000 low-rent slum-clearance units. Before construction could start the national real estate lobby derailed it and eventually through various legal maneuvers sanctioned by the city council, the housing was never built. This action ensured that 65,888 substandard dwellings, mostly occupied by the poor and members of minority groups, were left standing (Chávez, 2002).

The effort to rid Los Angeles of substandard dwellings led to notions of urban renewal that eventually displaced thousands of ethnic Mexicans and other poor people. Among the targeted areas were Boyle Heights and Chavez Ravine, two neighborhoods that had much in common: a poor ethnic Mexican population, substandard housing, and little to no political clout in the city. Chavez Ravine was prime real estate that had been targeted for public housing, but that fell through and the area reverted back to the City of Los Angeles with the provision that the property must be for public use. At the same time the Brooklyn Dodgers sought to move West and city council members decided to lure them to Los Angeles by offering them 315-acre Chavez Ravine in exchange for the team owned 9-acre Wrigley Field. The only obstacle remaining were the ethnic Mexicans that comprised a majority of the ravine's inhabitants. City officials decided that they would move them by using eminent domain and subsidized land improvements, mechanism that had been successfully used to remove the Bunker Hill inhabitants.

Residents responded by organizing and collecting enough signatures to place a referendum on the June 1958 ballot to revoke the contract with the Dodgers. Voters sided with the Dodgers by a narrow margin and in March 1959 ravine residents were given thirty days to vacate their dwellings. One elderly couple, the Arechigas, and their extended family refused to leave their home and eventually the Los Angeles Superior Court issued a writ of possession and Sheriff deputies evicted the family (Chávez, 2002).

Removal of ethnic Mexicans from their homes was a common occurrence in Los Angeles in the 1950s as the city and county sought to modernize by building freeways and in the process perpetrated environmental discrimination. The Golden State Freeway (the present-day Interstate 5), first proposed in 1953 and completed three years later, cut through the ethnic Mexican enclave of Boyle Heights with the Los Angeles City Council's endorsement despite residents and business leaders' protests. Later in the 1950s the Pomona Freeway (present-day California Highway 60) would dissect the ethnic Mexican community of Belvedere in East Los Angeles (Chávez, 2002), located in an unincorporated area of Los Angeles County, where residents had little access to elected officials. Eventually four freeways would cut through ethnic Mexican neighborhoods when the East Los Angeles Interchange, the busiest in the world, was completed in 1961.

Those ethnic Mexicans who were able to stay in their neighborhoods had to contend with violence at the hands of those who were supposed to protect them: the Los Angeles Police Department and the Los Angeles Sheriff's Department. Three prominent events of the early 1950s exemplify the kind of violence inflicted by law enforcement officials on ethnic Mexicans: the "Santo Niño 7," "Rios-Ulloa," and "Bloody Christmas" incidents. The first involved member of the Catholic Youth Organization (CYO)

sponsored basketball team who were suspected of stealing auto parts and who were beaten at the University Police Station in 1950. The CYO and the Community Service Organization (CSO) took legal action and eventually led to the charges being dropped. A more prominent incident concerned Antonio Rios, the chair of the CSO, and a friend of his, Alfred Ulloa. In January 1952, as Rios and Ulloa were emerging from a café in Boyle Heights, they witnessed a struggle in which two men were beating a third. Rios told the men to stop and then learned they were vice-squad plainclothesmen, F.J. Najera and G.W. Kellenberg. They were also obviously drunk and Rios accused them of drunkenness. When additional police arrived on the scene, Rios asked them to arrest Najera and Kellenberg, only to find himself and Ulloa taken to police headquarters at gunpoint. Ordered to strip to their underwear, the two men were then beaten by Najera and Kellenberg. Rios and Ulloa were eventually charged with interfering with officers. An internal investigation into the matter followed, while the two men filed a civil suit against the two officers and the city, which they eventually won (Chávez, 2002).

Still another infamous incident was the so-called “Bloody Christmas” episode in 1951. The case started out as a routine arrest on Christmas Eve 1951 of six men: Danny Rodela, Elias Rodela, Jack Wilson, William Wilson, Manuel Hernandez, and Raymond Marquez. Brought before a judge, they were charged with battery and disturbing the peace and convicted. However, during the course of the trial it was revealed that the police had beat the six (along with a seventh man, Eddie Nora, who was not arrested). Angered at the police abuse, which Judge Call described as “lawlessness” and “anarchy,” the court overturned the convictions and the judge initiated a grand jury investigation (Chávez, 2002).

The LAPD had no monopoly on brutality, as revealed in suits against Los Angeles County Sheriff Eugene W. Biscailuz and his department. In May 1953 Maximo Bustillos accused two deputy sheriffs of beating him en route to and in the East Los Angeles sheriff's substation. In September of the same year, David Hidalgo, a high student, filed a civil suit against two deputies for an unprovoked beating. Hidalgo's lawsuit resulted in the first instance of officers being found guilty of "police brutality." In a 1956 ruling, the judge also found the defendants financially liable for the beatings, fining them \$8 each as part of an overall \$1,016 settlement. The Hidalgo experience encouraged other Mexican immigrants and Mexican Americans to file suit when their civil rights were violated (Chávez, 2002).

In the 1950s, as one can see, the official discrimination that Los Angeles County's ethnic Mexican population experienced manifested itself in all aspects of life, this stemmed from their limited political power in this period. Throughout this era Edward Roybal, who was elected to the Los Angeles City Council in 1949 to represent the 9<sup>th</sup> District, and given that he was the sole elected official in Los Angeles of Mexican descent, by default he became the representative for all ethnic Mexicans in the city, if not the county, and in turn all Latinos were viewed as his constituents, and encompassed an "imagined constituency." These circumstances allowed his colleagues on the city council to wipe their hands clean of the concerns of Latinos and guaranteed that Roybal received correspondence from ethnic Mexicans asking for his help in a myriad of situations. His popularity ensured his nomination to California lieutenant governor in 1954, a post for which he ran unsuccessfully. In 1958 Roybal's liberal politics and his pro-community activism ensured his defeat when he vied for a seat on the Los Angeles County

Supervisors. Controversy surrounded the upset. Though ahead in the early stages of vote counting, he lost the election after four recounts and allegations of fraud. His opponent, Ernesto Debs, a pro-business Los Angeles city councilman, was elected and the following year, he and the other members of the Los Angeles County Board of Supervisors gerrymandered the supervisorial districts to dilute Mexican American political power (as the Garza case would later make clear). Mexican Americans remembered this election for decades. When Roybal was elected to Congress in 1962, his seat came up for grabs, and given the shifting demographics in the district that were by this time 50 percent African American, 35 percent Latino, and 15 percent Asian American, Gilbert Lindsay, a Black aide to Supervisor Kenneth Hahn was appointed to his seat and the following year was elected to the post. The council then reapportioned the districts, ensuring that the election of three African Americans to that body would be possible, but that of Mexican Americans impossible. Lindsay's victory left Los Angeles with no Mexican American in city government. Thus, by mid-1963 a power vacuum existed in Mexican-American political circles in the city. "Today," mourned the Mexican American newsletter *Carta Editorial*, "the city founded by our ancestors does not have one Mexican American in official capacity. La Reina de Los Angeles weeps" (Chávez, 2002).

By the early 1960s the ethnic Mexican population in Los Angeles County had grown dramatically. The total population of Los Angeles County increased by 2,023,084 persons (50.4%) between 1950 and 1960 while the County's Spanish-surnamed population increased by 289,102 persons (100.5%) between 1950 and 1960 (Garza v. County of Los Angeles, 1990). Although their numbers had grown, ethnic Mexicans still remained marginalized socially, economically, and politically. By the early 1960s, the

lack of representation on the Los Angeles City Council and the County Board of Supervisors ensured that Mexican American youths, calling themselves Chicanos, would wage battles to combat subpar educational conditions, continuing poverty, and police brutality in the 1960s and 1970s. Their efforts to dismantle official discrimination would be met by severe repression on the part of law enforcement officials, both the Los Angeles Police Department and the Los Angeles County Sheriff's Department, that in effect represented a rise in official discriminatory practices.

In March 1968 over 10,000 students at five East Los Angeles high schools walked out of their class rooms to protest discriminatory practices there. The high percentage (over 50 percent) of Mexican American high-school students forced to drop out of school either through expulsion and transfers to other schools or because they had not been taught to read and thus failed their classes led to this action. Overcrowding, dilapidated buildings were endemic at Chicano schools, where teachers, a majority of whom were Anglo (only 3 percent of the instructors and 1.3 percent of administrators had Spanish surnames, some of whom were white women married to Latino men), often discriminated against their Mexican-American students, calling them "dirty Mexicans" and encouraging them to join the workforce rather than attend college. Angered by this treatment, students demanded more Chicano teachers and administrators and better schools (Chávez, 2002). When the students walked out of their classrooms the Los Angeles police officers and Los Angeles County sheriff deputies overreacted, and brutally suppressed the uprising. Although law enforcement authorities' main target was the Brown Berets, a Chicano paramilitary organization, and other activists, the students got caught in the melee. This event led to the police and sheriff's department in Los Angeles, as historian Rodolfo

Acuña has said, to “abandon reason in harassing, intimidating, and persecuting the Brown Berets” and other Chicano activists (Acuña, 2011). Seven members of the Brown Berets and six other Mexican Americans were later indicted on conspiracy charges stemming from the walkouts. Eventually the charges the appellate court ruled the charges unconstitutional, but only after years of harassment by the authorities (Acuña, 2011).

Police brutality against Chicanos—especially by the Los Angeles County Sheriff’s Department-- emerged once again when Mexican Americans protested against the disproportionate number—3 to 1-- of Spanish-surnamed casualties in the Vietnam War during the Chicano Moratorium on August 29, 1970. The committee, bearing the name of the protest they organized, argued that there was a war at home and that young Chicano men needed to stay there to solve domestic problems rather than fight and die in Southeast Asia. Part of this war at home was against police brutality and the mistreatment of Mexican American inmates in city and county jails. A demonstration at the East Los Angeles County Sheriff’s substation to protest the death of six Mexican American men in the preceding five months, clashed with police. As the August 29 event approached tensions between police and the Mexican Americans community increased. On August 29, 30,000 people marched through the streets of East Los Angeles to protest the war in Vietnam and conditions at home. Demonstrators reached the end of the route at Laguna Park to begin a rally that included speakers and dance performances. Unbeknownst to them a minor incident occurred at a liquor store adjacent to the park when youths attempted to pilfer soft drinks, this occurrence caused the L.A. County Sheriff’s Department to go into the store and then into the park where 1,200 deputies broke up the rally by wielding clubs upon spectators, beating men, women, and children



and throwing tear gas into the crowd. Mass arrests followed and three deaths occurred. The most famous of those who died that day was Rubén Salazar, a reporter for the Los Angeles Times and the news director of the KMEX, the city's Spanish-language television station, who was killed when a tear gas projector hit his head as he sat in a bar to escape the melee. A Los Angeles County Coroner's inquest later concluded that he had died at the hands of another, but never officially charged anyone with his killing. Salazar's death became the ultimate symbol of police brutality and the Moratorium Committee emphasized that issue over the war and changed directions. It sponsored several other demonstrations against police actions throughout 1970 and into 1971; these efforts were also met with violence by legal authorities and eventually caused the demise of the group. The mantle of Chicano activism was taken on by other groups in the Los Angeles area, among them La Raza Unida Party, a Mexican American third party, which unsuccessfully sought to elect Latinos to office and, as a means to dodge the power of the Los Angeles County Board of Supervisors, incorporate East Los Angeles (Chávez, 2002). Violence inflicted upon the ethnic Mexican community in Los Angeles County during the early to mid 1970s ensured that it would become more insular and was a reflection of their powerlessness vis-à-vis the political process.

The lack of representation in the political process made ethnic Mexicans into a powerless group in Los Angeles County as we can see with the violence inflicted upon them by law enforcement authorities, but they also experienced civil rights violations in places designed to heal them like the county medical hospital. In 1975 attorneys filed a class-action suit (*Madrigal v. Quillin*) in the federal district court of Los Angeles naming USC-Los Angeles County Medical Center, twelve doctors, the State of California, and

the U.S. Department of Health, Education and Welfare as defendants as a result of their engagement in the sterilization of ethnic Mexican women without their formal consent, which constituted a violation of their civil rights. At the trial one doctor testified that the women were given consent forms to sign while in labor and some did not understand English and the motivating factor in the sterilizations was to limit population growth because Latinas had too many babies, which in turn would put a strain on society. It was clear that consent for the procedure was not freely given, nonetheless in 1978 the presiding judge ruled in favor of the defendants concluding that the doctors acted in good faith when they were performing the sterilization operation with the knowledge and consent of each patient and that there was simply a cultural difference in the manner in which Mexicans and Anglos viewed the size of families (this was clearly an instance of common sense racism in operation). Although the plaintiffs lost the case the attention brought greater attention to the matter and forced USC-Los Angeles County Medical Center to change the manner in which it informed patients of sterilizations and sought their consent (Gutiérrez, 2008). The Madrigal case is an instance of official discrimination by Los Angeles County officials where ethnic Mexicans, having little political power, relied on the legal system to remedy their circumstances and ultimately the legal system failed them and in effect sanctioned the discrimination.

This lack of political power continued for ethnic Mexicans even though the Latino population had grown. In 1980 it comprised 2 million of Los Angeles County's 7.5, yet the beginning of the decade there was still no Mexican American representation on the Los Angeles City Council. It was not until 1986 that Richard Alatorre gained a seat on the city council, yet this was a small victory. The year before the U.S. Department of

Justice maintained that the City of Los Angeles purposefully denied the expansion of Latino representation. After a lengthy process the city agreed to a reapportionment plan in 1989 that allowed for the possibility for a Latino to win another seat on the council. Yet the area that was reapportioned was only a small parcel of Los Angeles County as a whole and powerlessness for ethnic Mexicans still existed.

The rise of the Mothers of East Los Angeles (MELA), a grassroots organization, is evidence of ethnic Mexicans lack of power in Los Angeles County. The group first formed in 1986 in response to the California Department of Corrections', with the support of Governor George Deukmejian, plan to build a prison in East Los Angeles. Although not opposing the plan to build a prison in Los Angeles County, per se, the MELA resented the implication that ethnic Mexicans were inherently criminal and therefore a nearby prison in the area would facilitate families' ability to visit what was implied to be homegrown inmates. The MELA also argued that the prison should be built in a place that was less dense than their community and not as close to schools. With no support from the city or the county in their battle against the prison, they relied on their sole political ally, California State Assemblywoman Gloria Molina, and the Catholic Church. After a seven- year struggle, the Mothers of East Los Angeles were able to stop the prison from being built, and also a proposed toxic waste incinerator. Both proposals placed the burden of solving Los Angeles County's trash-disposal and prison problems on the Eastside community, and in effect, given the population, on ethnic Mexican residents (Pardo, 1998). The Mothers of East Los Angeles' actions, and their need to take matters into their own hands ultimately show us that the County of Los Angeles was unresponsive to the needs of ethnic Mexicans and poorly serving them.

The early 1990s witnessed a victory for ethnic Mexicans when the *Garza v. Supervisor of the County of Los Angeles* case made clear that the 1981 redistricting plan adopted by the Board of Supervisors violated Section 2 of the Voting Rights Act and the equal protection clause of the Fourteenth Amendment. Garza's outcome led to the redistricting of the supervisorial districts and facilitated the election of a Latina Board of Supervisors member, Gloria Molina. Her election, as the past twenty years have shown, was a milestone, but given the growing Latino demographics of the city Molina quickly emerged as the Edward Roybal of her time. Like the former Los Angeles City Councilman, Molina, as the only Latina member of the Board of Supervisors, by default became the representative for all Latinos in the county—beyond her actual district-- and the person held responsible for all the concerns of this “imagined constituency.”

Despite Molina's ascendancy to the Board of Supervisors, there still remained a large number of Latinos in Los Angeles County who remained untouched by electoral politics and for whom electoral victories meant little in the face of growing poverty. Of course the election of a Latina to the board did not mean that police brutality had ended in the city, as the LAPD showed in the infamous Rodney King beating. Less than a month after Molina became a supervisor, police officers stopped King after a high speed chase and proceeded to hit the 25-year old King with their batons a total of fifty-six times. Although King was African American and the looting and violence that occurred in the aftermath of the April 1992 verdict that acquitted his attackers, involved mostly Blacks, the incident showed the fracturing of Los Angeles and pointed to income inequality that existed in the county as a whole. Rather than taking place in East Los Angeles or Wilmington, established ethnic Mexican neighborhoods, the looting that

involved Latinos occurred in South Los Angeles and the Pico-Union district, which were primarily composed of recent immigrants (and a mix of Mexicans and Central Americans). Of the 15,000 arrested, 1,200 were undocumented. (George Ramos and Tracy Wilkonson, 1992). These incidents made clear the fact that some Latinos felt marginalized, to say the least, and public officials seemed unresponsive and oblivious to their needs.

That the County of Los Angeles responded to ethnic Mexicans and other Latinos in a negative manner became clear through the Kolts Commission (modeled after the Christopher Commission, which investigated the LAPD in the aftermath of the Los Angeles uprisings) investigation of the Sheriff's Department in 1992. The commission examined 124 civil suits and 800 internal investigations, in addition to training and disciplinary procedures, and described the department as a place where discipline and oversight had broken down. It also reported that supervisors routinely tolerated abuse of suspects and prisoners, particularly Latinos and Blacks. In addition, the report criticized the department for a lack of Latino and Spanish-speaking deputies and called for civilian participation in the review oversight of the Sheriff. As the report said, "We know of no major metropolitan police department in the nation that is not subject to some civilian oversight—except the Los Angeles County Sheriff's Department" (Acuña, 1999).

Ethnic Mexicans continued to face discrimination in the 1990s in Los Angeles County; perhaps the most potent symbols of this climate were the struggles surrounding Propositions 187 and 209. Although Proposition 187 was aimed at denying health and educational services to undocumented immigrants, most Latinos saw the potential threat to all of their brethren regardless of citizenship status. This fear prompted Latinos to take

to the streets in protests. Many Latinos were alarmed by the racist tone of the anti-immigrant rhetoric. Despite these concerns the measure passed, but most of the provisions were later declared unconstitutional, however the debate over the law made clear the unwelcomed climate of the era. In the meantime, in November 1994, in response to the proposition's passage Supervisor Molina suggested that the Los Angeles County Board of Supervisors direct the county counsel to prepare a notice for distribution to county employees and the public to identify which provisions of the proposition the county would delay in implementing until Governor Pete Wilson issued guidelines for its enactment (Board of Supervisors, 1994).

Two years later, Proposition 209, the so-called "California Civil Rights Initiative", which in reality was an anti-affirmative action measure, passed, making as historian Rodolfo Acuña has observed, "anti-discrimination laws moot" (Acuña, 2011). Prior to its passage, in July 1996 when the initiative was placed on the ballot, Supervisor Yvonne Brathwaite Burke suggested that the Board of Supervisors reaffirm its commitment to affirmative action and go on record opposing the proposed measure. The Board of Supervisors eventually voted 3 to 1 (with Supervisor Dean Dana abstaining from voting and Supervisor Mike Antonovich voting against the proposal) to oppose the initiative (Board of Supervisors, 1996). As the above makes clear, in both instances it was through the intervention of "minority" members that the Board of Supervisors was prompted to take action in response to the propositions that would most affect Los Angeles County's Latino and African American population, despite the opposition of two white supervisors. Without the presence of Supervisors Molina and Burke it is doubtful

that the board would have thought of being responsive to the needs of the majority of Los Angeles County.

Supervisor Molina's intervention was clearly seen during the building of the new Los Angeles County-University of Southern California Medical Center. Immediately after being sworn in to office Supervisor Molina requested a full report on the proposed replacement of the county facility. Once she received information on the prohibitive costs to refurbish the building to bring it into safety compliance and meet seismic standards, in Spring 1991 Supervisor Molina supported building a 946 bed facility near the site of the current 800-bed hospital in Boyle Heights and an additional medical center in the San Gabriel Valley (which had been previously proposed and was never built due to community opposition). In order to build the facility 77 families needed to be relocated and thus in the summer of 1991 Supervisor Molina walked door-to-door in the community adjacent to LAC-USC medical center in order to gauge how the community would respond. Her office also initiated a series of community meetings and negotiated with Los Angeles County to ensure that residents would be fairly relocated. As a result an overwhelming majority of residents agreed to be relocated. While plans continued for the facility, the 1994 Northridge earthquake exacerbated the need for a new hospital.

However, planning for the medical center were put on hold the following year when Los Angeles County faced a billion dollar deficit (its largest ever), stemming from the state's financial problems. This crisis created a \$665 million shortfall in county health services and the closing of the LAC-USC Medical Center was proposed. In light of this financial disaster, Supervisor Molina once again intervened. She approached the Clinton Administration and was able to obtain \$364 million from the federal government through

the 1115 waiver. This action allowed for the LAC-USC Medical Center replacement facility to be reinstituted and in 1996 Mark Finucane was appointed director of the Los Angeles County Department of Health Services and soon recommended that the new medical center be reduced from its original 946 to 750 beds. Following Finucane's recommendation and that of independent expert studies. Supervisor Molina supported this plan and she, along with federal elected officials, held community forums to inform the public on the need to replace LAC-USC Medical Center with a 750-bed facility. However when the Board of Supervisors met to consider options for the new hospital, the other four members, despite hearing comments from 80 speakers in support of a 750 facility, voted to build a 600-bed hospital, contingent on receiving California SB 1732 funding. If this funding was not available, the four supervisors voted to build a 500-bed facility (LAC-USC Replacement Project Chronology).

Despite enormous community support for the 750-bed facility, Supervisors Yaroslavsky, Antonovich, and Knabe continued to undermine its construction. In 1998 after Latino/a elected officials in the California legislature secured over \$250 million in state funding via SB1573 for a 750-bed medical center, Yaroslavsky, Antonovich, and Knabe passed a motion requesting that Governor Wilson veto SB 1573, which he promptly did. Consequently, the Board of Supervisors then once again approved a 600-bed facility, with a provision to build an additional 150-bed hospital, if the current medical center maintained a daily census of at least 770 patients for the next three years and it received more state or federal financial assistance (LAC-USC Replacement Project Chronology).



In the ensuing years Supervisor Molina attempted to make her colleagues more responsive to the needs of poor people in Los Angeles County, by proposing several motions that would in effect put funding for other county facilities on hold (most notably Disney Hall) until monies were secure for the 750-bed facility. However, Supervisor Molina was outvoted at each turn with the result being that when the facility was finally completed in November 2008, its 600 beds proved insufficient (USC-LAC Replacement Project Chronology). Although her election to the Board of Supervisors was hailed as a victory for Latinos as a whole and a new era in Los Angeles County politics, which indeed it was, the reality was that she was easily outvoted by the three white men on the board who in this matter actively worked to deny services to poor people, the majority of whom are black and Latino.

In the period since 2000 discrimination against Latinos in Los Angeles County has continued perhaps in less dramatic, yet potent ways. That Latinos remained alienated from the political process was made clear in a 2002 report by the Pew Hispanic Center. As it said, “The nation’s 35 million Hispanics comprise nearly 13 percent of the population. However, there are a far smaller number of Hispanic voters. In the November 2002 election, an estimated 5.9 million Latino voted, comprising 5 percent of the total vote” (Acuña, 2011). The discrimination against Latinos, especially ethnic Mexicans, was heightened in the wake of 9-11. With the creation of the Department of Homeland Security and the merger of the U.S. Customs Service and the Immigration and Naturalization Service to create Immigration, Customs and Enforcement (ICE), the federal government heightened its efforts to control the U.S.-Mexico border and in the process Latinos became further criminalized. These changes impacted Los Angeles

County immensely given that it has the largest population of Latinos, especially ethnic Mexicans, in the nation.

This new environment of heightened security impacted the Los Angeles County Sheriff's Department. In July 2004, Sheriff Lee Baca proposed the adoption of a Memorandum of Understanding (MOU), a written agreement between ICE and his department in an effort to streamline the process by which the latter could more easily put into operation section 287 (g) of the Immigration and Nationality Act of 1996, as amended by the Homeland Security Act of 2002. Specifically, 287 (g) authorizes the Secretary of Homeland Security to enter into written agreements with a state or other political subdivisions in order for qualified personnel to perform certain functions of an immigration officer. Primarily this entails local authorities identifying undocumented "aliens" who have committed crimes and report them to ICE. This proposed MOU would allow ICE to train six custody assistant personnel to conduct interviews of in custody inmates at the inmate reception center to determine if they were criminal "illegal aliens or deportable under federal statutes." Although at first glance the proposed MOU seemed to be aimed at speeding the process by which the Los Angeles County Sheriff's Department could partner with ICE in a pilot training program, upon further scrutiny it presented several problems including the fact that some of the undocumented detainees could be proven innocent of the accused crime and still face deportation. Citing this problem, at its January 2005 meeting to discuss the matter, Supervisor Yaroslavsky amended the MOU so that the interviewing of inmates could only occur after conviction, and only then would information be disseminated to federal authorities. However as meeting attendee Araceli Perez, representing the Mexican American Legal Defense and Educational Fund

(MALDEF), stated, the amended MOU still set the dangerous precedent of “mixing immigration law with local [law] enforcement of any sort.” Along with MALDEF many other members of the Latino community expressed their opposition to the MOU, especially because it blurred the line between federal and local jurisdictions, given that immigration control was solely the domain of the federal government. Also, as Supervisor Molina, once again speaking on behalf of the Latino community as its only voice on the Los Angeles County Board of Supervisors said, “I don’t know when it’s going to be convenient for them [ICE] to start asking our nurses to carry out the same work. I don’t when it’s going to be convenient to ask our mental health people to carry out that same work.” She continued, “But I worry when we start asking our mental health workers, our social workers, our teachers, or our medical personnel to become part of the federal government to ask those questions for a department that is fully and completely funded that should be carrying out that work every single day, but I think it fuzzes the line.” Ultimately Supervisor Molina objected to the MOU because she believed that it was wrong for the Los Angeles County government to carry out the duties of the federal government. However when the vote on the MOU was called she, along with Supervisor Burke, dissented and once again Supervisors Yaroslavsky, Kanabe, and Antonovich (the three white men on the board) voted in favor of the adoption of the MOU (BOS minutes, 2005).

Although the Board of Supervisors approved the MOU, Gloria Molina was able to intervene and initially one of her staffer was allowed to oversee the pilot training program (which was suspended for a bit when Molina’s office requested that a MALDEF representative be allowed to witness the training, at which time ICE objected). In a

February 2007 memo to the Board of Supervisors, Los Angeles County Chief Administrative Officer David E. Janssen stated that ultimately the goal of the program was to reduce costs “associated with recidivism by criminal illegal aliens and jail overcrowding,” but he never stated the actual amount of money that the program saved the county, just the potential cost savings (Janssen, 2007). The discussion of the MOU once again showed the continued insensitivity of the Los Angeles County Board of Supervisors vis-à-vis the Latino community and the limited power that Supervisor Molina has on that body.

The unresponsiveness of Los Angeles County to its Latino community, which constitutes over 47% of its population, 33% of which is of voting age, is evident in the continued destruction of neighborhoods in East Los Angeles. As shown above, in the 1950s the freeways went through ethnic Mexican neighborhoods and they still dissect those living spaces. Augmenting this fissure is the Metro Gold Line extension, which except for a short 1.7-mile underground portion is a light rail system that travels through First, Indiana, and Third Streets in Boyle Heights and unincorporated East Los Angeles. The fact that the Gold Line does not go underground stems from several factors. The first was the 1985 methane gas explosion in Hollywood, during the construction of the Red Line, and the appearance of a sinkhole ten years later while work was done on the same line, which made officials question the safety of tunneling to construct subways. This fear of greater dangers led U.S. Representative Henry Waxman to sponsor legislation banning the use of federal monies for subway construction. The second, and more direct reason why the Gold Line extension was built above ground, was the 1998 passage of Proposition A, sponsored by Supervisor Yaroslavsky. This initiative banned

the use of Los Angeles County tax revenue for subway tunneling. However, this climate of fear receded in the 2000s, and Westsiders pressed for a subway to ease the traffic congestion along Wilshire Boulevard. Seeing an opportunity to gain important support from Westside residents, in 2005 when Antonio Villaraigosa ran for mayor, his platform included the building of “a subway to the sea” (MacDonald, 2010). In that same year Congressman Waxman changed his position on the subway tunneling issue, declared that tunneling was now safe, and sponsored legislation to overturn the previous ban. Not only did Waxman have a change of heart on tunneling, but so too did Supervisor Yaroslavsky, who in 2008 sponsored a new sales tax measure, Measure R. Supervisor Molina on the other hand, viewed Measure R as inequitable and poorly conceived. At a Board of Supervisors meeting in October 2008 she called for that body to fund the construction of four-crossing quadrant gates at every place that the Gold Line would stop. Supervisor Yaroslavsky objected to this proposal citing the costs, prompting Molina to remind her colleague that the Gold Line should have been a subway, but because Yaroslavsky killed the project it was not. Supervisor Molina, acting once again as the voice of the Latino community in Los Angeles County, said, “I get tired of being shortchanged on the Eastside on some basic stuff.” She continued, “If this board can't move forward on ... safety, I'm shocked.” Yaroslavsky responded to Molina in a nasty and dismissive manner, saying, “Supervisor Molina, you and every other member of the Board voted for this line. You voted for it.” He continued, “Don't make this a holier than thou safety issue” (Hyman, 2008). Yaroslavsky’s comments were not only disrespectful to Molina, but to the entire Latino community of Los Angeles County and once again shows how the board is unresponsive to this population’s needs.

The proceedings over Measure R, and the Gold Line's disruption of East Los Angeles neighborhoods, is yet another example of the ongoing official discrimination against Latinos that exist in Los Angeles County and is waged by county officials. Yaroslavsky's comments can be read as an instance of common sense racism that is prevalent in the county. Thus, it may appear that there is no ongoing discrimination against Latinos in the present-day, but in reality there has been a "trickle down racism" that is part and parcel of our understanding of certain groups and given the history of Latinos in Los Angeles County it is present at every turn in this group's experience and makes its members view elected official with suspicion.

Rather than relying on elected officials to help them, poor Latinos have relied on grass-roots organization for aid. Key among these groups in the present has been the Bus Riders Union, formed in 1992, whose concern has been racial discrimination policies in the Los Angeles County Metropolitan Transportation Authority (LACMTA). In 1996 it filed a civil rights suit against the LACMTA arguing that the agency was using disproportionately more of its federal funds on the suburban-oriented rail service and its wealthier (and whiter) ridership, at the same time as it was spending disproportionately less on the bus system and its much larger, lower-income ridership, predominantly made up of minorities, including Latinos. This action resulted in a ten-year consent agreement that mandated federal oversight of the LACMTA. Once the agreement expired in 2006 the Bus Riders Union filed a complaint that instituted an investigation of the agency that is to begin in July 2011. In May 2006 the group launched its Great American Boycott demonstration. It also is advocating that there be less policing throughout the city because of past abuses by law enforcement officials. The persistence of discrimination and the

unresponsiveness of the political process in Los Angeles County are evident through the Bus Riders Union continued work that uses litigation to try to have its grievances addressed (Marks, Gerin, Armstrong, 2004; Mascaro, 2005). Currently (July 2011), the Bus Riders union is bringing to the forefront the discrimination against domestic workers, mostly Latinas, through the LACMTA's elimination of bus line 305, which goes from Watts to Westwood (Medina, 2011).

The 1990 *Garza v. County of Los Angeles Board of Supervisors* made clear that up to that time there had been a historically and continuous official discrimination in Los Angeles County stretching back to the establishment of the Los Angeles County Board of Supervisors in 1852. Although *Garza* resulted in the redistricting of Los Angeles County and facilitated the election of a Latina, Gloria Molina, to the Board of Supervisors, she is but one voice on this body and as the above shows she is continuously outvoted on key issues relating to Latinos. Thus, there continues to be official discrimination in Los Angeles County and unresponsiveness by the political process that has often forced ethnic Mexicans/Latinos to seek redress through grass-roots efforts, demonstrations, and the courts. The residue of this official discrimination continues to hinder the ability of Latinos to use the political process to resolve their unequal status in all aspects of life in Los Angeles County. This institutional discrimination, which is part of the historical memory of Latinos in Los Angeles County, and allows for common sense racism, has ensured that they remain a marginalized group whose large population has not guaranteed access to, or active participation, vis-à-vis the mechanisms of power in Los Angeles County. Only by addressing ethnic Mexicans/Latinos access to the political process and ensuring that representation on the Los Angeles County of Supervisors is present and

enhanced can this group be full participants in the life of Los Angeles County, reach its full potential as active and contributing members of society, and engage the democratic process that is guaranteed to them under the U.S. Constitution and has been secured through the Voting Rights Act of 1965.



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