

Decision near in Watsonville lawsuit

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SAN JOSE — Has the at-large system of voting in Watsonville served to "dilute the voting strength of Hispanics," or is it their best chance for gaining political power?

That question was put to U.S. District Court Judge William Ingram Monday morning in closing arguments in the trial of a lawsuit filed by the Mexican American Legal Defense and Education Fund against the city.

Ingram took the case under submission and said he would issue a written decision by Friday, barring some unforeseen problem. He commended the attorneys for their "expeditious handling of the case."

Through the testimony of political scientist Bernard Grofman of UC-Irvine this past week, and two Hispanic citizens of Watsonville — Cruz Gomez and Ernesto Lopez — MALDEF attorney Joaquin Avila tried to paint a picture of Watsonville as a city of two separate societies — one Anglo, the other Hispanic.

MALDEF filed the lawsuit, alleging a violation of Section 2 of the Voting Rights Act of 1973, on behalf of Gomez, who ran for the City Council in 1983; Waldo Rodriguez, an unsuccessful School Board candidate; and Patricia Leal, a citizen picked by Legal Aid as a plaintiff.

Avila claimed the only way to insure Hispanic representation on the City Council is through the establishment of seven districts, two of which

would be heavily populated with Hispanics.

Nine Hispanic candidates have run for City Council from Watsonville since 1971, said Avila. "They've been everything from a community activist, to a Hispanic business person and college instructor — yet all have lost," he said.

Avila contended Watsonville met all three criteria for establishing a district system: The ability to create a single-member voting district, a politically cohesive minority population and a white majority voting bloc.

"Congress made the choice. Whenever there's a violation, the court must act to correct that," said Avila.

"There is simply nothing else the Hispanics can do," said Avila.

"They've posted candidates, conducted very active campaigns and voter registration drives."

The city's attorney, Vincent Fontana of New York, countered the system isn't at fault.

"To coin an old phrase, 'If it ain't broke, don't fix it,'" said Fontana. "The problem is with the participation — or lack of it. The problem is with voter turnout (in elections)."

Fontana argued the district election system would "fragmentize" the Hispanic population and actually give Anglos more chance to keep Hispanics off the council. He pointed out that 62 percent of the Hispanic population lives outside the two districts MALDEF proposed and would effectively be excluded from representation.

He also said the lawsuit didn't

represent the interests of the majority of Hispanics. Besides bringing in his own expert witness to refute Grofman's claims, Fontana called two Hispanic citizens of Watsonville — Frank "Chico" Castro, a hairdresser, and Socorro Paz, aide to former Fourth District Supervisor E. Wayne Moore Jr. — to buttress his contention.

Both witnesses testified the present system is desirable to district elections. They also said Watsonville Hispanics do not necessarily vote as a cohesive group.

Fontana argued MALDEF's expert witness had never visited Watsonville and that he reached "broad conclusions" based on the voting patterns of only 2 percent of the city's Hispanic population.

"How can we change an electoral system in the city based on such incomplete data?" he wondered.

He also pointed out that the lawsuit was not a class action, brought on behalf of all the Hispanics of Watsonville, but, in fact, was sanctioned by only 10 members of LULAC (League of United Latin American Citizens). LULAC voted 14-4 to have MALDEF file the suit.

"Ten Hispanics of 11,509 in the city are carrying the complaint. The plaintiffs are trying to completely alter and change the political system in Watsonville based on that incredibly small number of people," said Fontana. "It's ludicrous to change it."