

# District elections upheld

## Supreme Court ruling leaves May election in doubt

By JENNIFER KOSS  
STAFF WRITER

Future Watsonville City Councils will be elected by districts, and not at-large.

The U.S. Supreme Court made it official this morning by refusing to hear Watsonville's appeal of an earlier federal court ruling. That decision found that the at-large system

of elections was discriminatory against Hispanics and ordered a federal judge to establish procedures for district elections.

It is uncertain at this point what effect the Supreme Court's decision will have on the upcoming May 9 election. According to City Clerk Lorraine Washington, it's City Attorney Don Haile's opinion at

this point it would be illegal for Watsonville to continue with the election for three vacant council seats. The city may be able to continue with the election for bond issues on the ballot, Washington said. (Haile could not be reached for further comment this morning).

City officials said there is not enough time to work out a districting plan by May 9, and

an attorney for the voting-rights group whose suit prompted the Supreme Court appeal said he would try to stop the at-large elections currently scheduled.

"I think in view of what the Supreme Court has done, the city ought to stop the election," said Joaquin Avila, attorney for the Mexican American Legal Defense and Education Fund, which filed suit against Wat-

sonville in May 1985.

Avila said he would ask the federal district court in San Jose to issue an injunction to stop the election if the city doesn't act on its own.

Councilman Dennis Osmer has asked Mayor Betty Murphy to call a special City Council meeting this week to start working on a districting plan.

"I think that with the election up in the air, time is of the essence," Osmer said.

That meeting has been set for 4 p.m. tomorrow, but it was not known at noon today whether it would be open or closed.

Osmer said the meeting should be open because the

See VOTE page 2 ▶

★★ Register-Pajaronian Monday, March 20, 1989

# VOTE

▶ From page 1 3/20/89

city's legal battle is over. He also said the city should work with MALDEF representatives to come up with a plan both sides could live with.

"We've just got to put the bitterness and hard feeling behind us and move forward now," he said.

Cruz Gomez, one of three plaintiff's in MALDEF's suit against the city, as well as a current City Council candidate, said she was elated at the Supreme Court's decision.

"It's a great day," she said. "City Council people — scoot over."

Councilman Vido Deretich, who at one point had proposed placing a districting plan on

the ballot, said he was not surprised at the Supreme Court's decision not to hear the case. Deretich also said he thought district elections would encourage more participation in government by Watsonville residents, who would find it easier talking to a neighborhood councilman than the council as a whole.

"I think people will feel better," he said.

Mayor Betty Murphy said she could support the districting plan Deretich had proposed, allowing for six councilmen elected by districts and a mayor elected at-large.

MALDEF attorney Avila said he was working on a plan that would create seven districts, with a rotating mayor elected by the seven councilmembers.

Vincent Fontana, the New York attorney who represented the city in its election-suit fight, said it would be up to the city to submit a districting plan to the federal district court. The final plan adopted by the court would not necessarily need MALDEF's approval, he said. It could take several months to work out a plan, depending on the politics involved, he said.

Fontana said he was disappointed at the Supreme Court's decision, but was pleased the appeals court had at least softened its original opinion.

That second opinion was issued in December, when the appeals court turned down Watsonville's request for a rehearing, but retreated from its former opinion that historical discrimination existed in Watsonville.

"We're at least pleased that we were able to get the original decision changed," Fontana said, "and I think the ramifications (of the Watsonville case) are less significant than they were."

However, MALDEF attorney Avila said he thought the case would still have serious ramifications for the nine states under the appeals court's jurisdiction.

"I think the ramifications of this denial of the Supreme Court review are significant," Avila said, "because now this is basically the law of the land."

He said the Watsonville case would be used in other locales as a yardstick to measure violations of the Voting Rights Act of 1965, on which MALDEF had based its case.