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Carol Hardy-Fanta

University of Massachusetts Boston, carol.hardy-fanta@umb.edu

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The Mauricio Gastón Institute
for Latino Community Development
and Public Policy

Latinos in Massachusetts: POLITICAL REPRESENTATION

Who's in Charge? Appointments of Latinos to Policymaking Offices and Boards in Massachusetts

by Carol Hardy-Fanta

The Mauricio Gastón Institute of the University of Massachusetts Boston conducts research on and for the Latino population. A goal is to generate the kind of information and analysis necessary to develop sound public policy, and to improve Latino participation in the policy-making process. The Gastón Institute has produced this series of fact sheets in an effort to present up-to-date information about the issues affecting Latinos in a number of key areas: Education, Health, Housing, Immigration, and Political Representation.

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INTRODUCTION

AS THE LATINO POPULATION IN MASSACHUSETTS CONTINUES TO GROW, THERE HAS BEEN A CORRESPONDING INCREASE IN THE NUMBER OF LATINOS ACHIEVING ELECTED OFFICE THROUGHOUT THE STATE. Twenty years ago there was only one Latino serving in elected office in Massachusetts—Nelson Merced. In 1995, there were only four elected officials who were Latino and no state representatives. Today, through the hard work of candidates, activists, and Latino community activists and organizations, there are three Latinos serving as state legislators, fourteen holding municipal office, and an increasing number of campaigns at all levels of municipal and state government being conducted.¹

While this is good news for the prospects of Latinos/as gaining influence in state and local government, a less visible but equally important question is, Have there been similar gains in Latino state-level executive branch leadership through gubernatorial appointments to top executive positions and regulatory boards?

In the present climate of severe budget cuts, state-level executive branch appointees are at the center of policy influence – advising the governor and making key decisions about all aspects of public policy. The presence – or absence – of Latinos in top advisory positions and as members of boards, commissions, and authorities can make a great difference in policy decision-making in economics, education, health, public safety, community development, labor, transportation and construction, human services, and the judicial system – all of which have a direct impact on Latino communities.

The Latino "appointment gap" is indeed striking: A survey conducted in 1997 of appointments to top policy-making positions revealed that, nationally, "Latinos are the only group that is underrepresented



among appointed policy leaders in every state." According to the survey, whites made up 87 percent of the top policy leaders appointed by governors and, while people of color made up 25 percent of the population, they held only 12 percent of policy leadership posts in the United States.²

We undertook this study to answer the question, How are Latinos doing in gaining access to the commissions, boards, and authorities that make key policy decisions affecting Latino communities in Massachusetts? What we found was alarming and should serve as a call to action for Latino leaders and communities.

Study Design

OUR GOAL IN THIS STUDY WAS FIRST TO CALCULATE HOW MANY LATINOS HAVE BEEN APPOINTED TO POLICY-MAKING POSITIONS AT THE EXECUTIVE LEVEL IN STATE GOVERNMENT AND ON THE ADVISORY AND REGULATORY BOARDS, COMMISSIONS, AND AUTHORITIES THAT SET POLICY IN THE COMMONWEALTH. The second goal was to estimate how close Latinos are to gaining a level of representation in those positions that matches their 6.8 percent share of the state's population.

To achieve these goals, we first secured lists from Office of the Secretary of State that included the branch or office name, board number and title, appointing authority (governor, mayor, commissioner, etc.), and names of individual appointees. We selected appointments made by the governor (or with approval by the governor) and first counted the number of total appointments in each position and on each board, commission, and authority. The next step was to determine which of the appointees should be counted as "Latino." Following established practices, we used Spanish surname (and, where necessary, first name.)

We also determined how many Latinos currently hold appointments to top posts in government by analyzing data on appointments to the level of commissioner, director, executive director, secretary, etc., of the various executive offices by analyzing data from the

Secretary of State's office. Finally, we examined the listings in the current issue of the Massachusetts Political Almanac (2001) to count how many Latinos there are in appointed or top-level staff positions in the various executive-level offices.

Percentages of Latinos appointed to boards, commissions, authorities, and advisory committees are estimates of cumulative appointment patterns, not an analysis of those currently serving on these boards, commissions, and authorities. Some appointment dates were old (in the 1980s and, in a few cases, earlier). Since the Secretary of State's office does not remove appointees from the lists unless they receive a letter specifically requesting it, it was not possible from these data to determine who was still on a given board. We estimated more recent appointments by counting those appointments made no later than 1990.

The number of Latinos appointed to top-level posts of commissioners, directors, secretaries, etc., of executive-level offices, however, is current.

Using Spanish surnames to estimate Latino representation in state government posts is less than satisfactory and may miss Latinos who do not have recognizable Latino names. While some Latinos were undoubtedly missed, the total count is more likely to overestimate the percentage of Latinos because when in doubt, we counted the individual as a Latino.

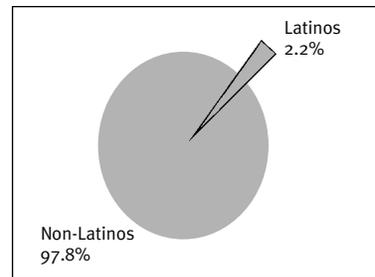
Few Latinos Appointed to State Boards

DATA PROVIDED BY THE OFFICE OF THE SECRETARY OF STATE LISTED A TOTAL OF 6228 INDIVIDUALS APPOINTED EITHER BY THE GOVERNOR OR WITH THE GOVERNOR'S APPROVAL REQUIRED. Among those included on the list were 139 Latinos, representing 2.2 percent of the total (see figure 1). Excluding boards/positions that were repealed or no longer active, there were 135 Latinos out of a total of 6053 appointments (still 2.2 percent).

A majority of boards, commissions, and authorities, 802 out of 900 (89.1 percent), had no Latinos appointed. Another eighty (8.9 percent) had only

one Latino appointed. Only 2 percent of boards, commissions, and authorities had more than a token presence of Latinos, which suggests that, even where there have been Latino members, they may not have sufficient presence to influence public policy at a level that reflects their presence in the population.

Figure 1.
Latino Appointments as Percent of Total



Source: Massachusetts Office of the Secretary of State, 12/31/01; N=6228

Regulatory and Advisory Boards: Where Are the Latinos?

WE EXAMINED LATINO MEMBERSHIP ON THE VARIOUS REGULATORY AND ADVISORY BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN THE EXECUTIVE BRANCH. Latinos make up only 1.34 percent of the total appointments made by the governor to the thirteen executive offices (44 out of 3,285 appointments). Even if you include only appointments made in 1990 or after (and include all Latino appointments), the percentage increases only slightly to 1.8 percent (44 out of 2506 appointments). This indicates that, at the highest level of policy making, even fewer Latinos are appointed to these boards, commissions, and authorities than to boards, commissions, and authorities as a whole (see table 1).

Gubernatorial appointments to four executive offices have included no Latinos. These offices include the Executive Offices of Communities and Development (which handles policy making in the areas of housing and neighborhood services); Transportation and Construction (which includes the boards of Massport, the MBTA, and the Turnpike Authority); Elder Affairs; and Energy Resources.

In five offices, Latino appointments were below 2 percent, including the

Table 1

Latino Appointments to Executive Offices

Office	Total appointed since 1990	No. of Latinos	%
Executive Office of Communities and Development	105	0	0
Executive Office of Transportation and Construction	37	0	0
Executive Office of Elder Affairs	9	0	0
Executive Office of Energy Resources	23	0	0
Executive Office of Consumer Affairs and Business Regulations	288	1	0.3
Executive Office of Labor Affairs	146	1	0.7
Executive Office of Environmental Affairs	239	2	0.7
Executive Office of Public Safety	279	4	1.4
Medical Examiners and Public Administrators	58	1	1.7
Executive Office of Administration and Finance	205	4	2.0
Executive Office of Health and Human Services	457	11	2.4
Executive Office of Economic Development and Manpower Affairs	228	6	2.6

Source: Office of the Secretary of State, Commonwealth of Massachusetts, 12/31/01.

Executive Office of Public Safety, with only 4 out of 279 appointments given to Latinos. Low Latino representation on this board is particularly important because of its policy-making role in corrections, criminal justice, and state police matters. Other offices with similarly low Latino appointment patterns are Labor Affairs; Consumer Affairs and Business Regulations; and Environmental Affairs.

The offices which have better records of Latino appointments include the Executive Offices of Health and Human Services (2.4 percent); Economic Development and Manpower Affairs (2.6 percent); and Education (3.1 percent). It should be kept in mind, however, that "better" is a relative term: These percentages are still well below the Latino population share of 6.8 percent.

Latino Appointments to Legal and Electoral Boards

BOARDS, AUTHORITIES, AND COMMISSIONS UNDER THE OFFICE OF THE ATTORNEY GENERAL (WHICH INCLUDES THE VICTIM AND WITNESS ASSISTANCE BOARD AND THE LOCAL DISTRICT ELECTION REVIEW COMMISSION) AND THE SECRETARY OF STATE (WHICH HANDLES ELECTIONS AND THE STATE CENSUS WITH DIRECT BEARING ON LATINO CONCERNS ABOUT REDISTRICT-

ING) INCLUDE NO LATINOS APPOINTED BY THE GOVERNOR.

The best record of Latino gubernatorial appointments (68 out of 886 appointments, or 7.7 percent) is for the boards, advisory committees, and commissions that are outside the executive branch, including those established by executive order. These include such specialized boards as the Governor's Commission on the Status of Women, Commission on Indian Affairs, Commission on Puerto Rican and Hispanic Affairs, and advisory committees such as the Governor's Advisory Committee on Children and the Family, as well as the Boston Metropolitan District, the Metropolitan Area Council, and the State Ethics Committee. The relative power of these boards and commissions is directly correlated to the degree of Latino representation on them: the State Ethics Committee has no Latinos, the Metropolitan Area Planning Council has two Latinos, and the Puerto Rican and Hispanic Affairs Commission's twelve appointments are all Latino.

Judicial appointments deserve special attention. Sixteen out of 337 appointments (4.2 percent) as recorded by the Secretary of State's office were Latino, but these appointments seem to be at a relatively low level. Latinos made up only 7 (2.3 percent) out of 307

total justices, for example. Less than 2 percent of trial court justices have been Latino/a, and there has never been a Latino/a appointed to the State Supreme Judicial Court.

Where Are We Now? The Current Status of Latino Appointments

TO GET A CURRENT SNAPSHOT OF LATINO REPRESENTATION AT THE TOP LEVELS OF GOVERNMENT, WE FIRST EXAMINED GUBERNATORIAL APPOINTMENTS TO THE EIGHTY EXECUTIVE-LEVEL POSITIONS OF THE ACTIVE EXECUTIVE BRANCH OFFICES, WITH SUCH TITLES AS COMMISSIONER, DEPUTY COMMISSIONER, DIRECTOR, EXECUTIVE DIRECTOR, AND SECRETARY, ETC. The data indicate that no Latinos currently hold any of these top state-level executive branch positions.³

We also used the listings in the most recent Massachusetts Political Almanac.⁴ There are currently no Latinos among the top-level staff (either appointed to top posts or hired within the top tiers) of the Office of the Governor, or the Offices of the Attorney General, Secretary of the Commonwealth, State Treasurer, Elder Affairs, Environmental Affairs, Health and Human Services (which includes the Department of Public Health and the Department of Transitional Assistance); Public Safety, Transportation and Construction, Housing and Community Development, Labor and Workforce Development (which includes the Division of Employment and Training), Comptroller, Board/Department of Education, or the Massachusetts Turnpike Authority.⁵ There are no Latinos on the Supreme Judicial Court, either as justices or within the top staff. None of the appointments to the post of Chief Justice of the Trial Courts or to top administrative positions in the Administrative Office of the Trial Courts are Latino.

In the Executive Office of Administration and Finance, there is one Latina who serves as chair of the Civil Service Commission (France López) and Dorca Gómez is chair of the Massachusetts Commission Against

About the author

CAROL HARDY-FANTA, is director of the Center for Women in Politics and Public Policy of UMass Boston's McCormack Institute and a research associate of the Gastón Institute.

Discrimination. In the Department of Economic Development, there is one Latina, Brunilda Pérez, who is listed on the staff as executive assistant and support systems unit manager.

We also gathered data from current official lists on selected boards and commissions that we either considered to be of particular interest to Latino communities or were able to access either from the internet or by calling the respective executive office. These included the MASSJOBS Council (which is now the State Workforce Investment Board); the State Ethics Commission; the Minority Business Development Commission; the Executive Committee of the Judicial Nominating Council; the Seaport Advisory Council; the Civil Service Commission; the Massachusetts Convention Center Authority; the Pension Reserve Investment Management Board (PRIM); the Public Employee Retirement Administration Commission; the Massachusetts Port Authority; the Board of Education; the Council on the Arts and Humanities; the New England Board of Higher Education; the Board of Higher Education; the Juvenile Justice Advisory

Committee; and the Commission on Judicial Conduct.

We found that only three of these boards, commissions, or authorities, had any Latinos: MASSJOBS Council, three out of thirty-nine members; one Latino on the Minority Business Development Commission; and one out of four on the Civil Service Commission. The rest of these currently have no Latinos appointed. Furthermore, the percentage of Latinos hold-

ing current appointments on these boards (2.3 percent) shows no gains compared to the cumulative record (2.2 percent). Also, within the judicial branch, less than 2 percent of gubernatorial appointments to the position of justice are Latino.

Conclusion

LATINOS ARE SEVERELY UNDERREPRESENTED IN POLICYMAKING POSITIONS IN MASSACHUSETTS. The cumulative pattern shows that gubernatorial appointments to regulatory and advisory boards, commissions, and authorities within the executive branch have been less than 2 percent Latino (even if we include all Latino appointments as a percentage of appointments made only since 1990). The number of Latino appointments made to less powerful boards, committees, and commissions outside of the executive branch has been somewhat better but still well below what would be expected given the size of the Latino population in the Commonwealth. Almost 90 percent of boards, commissions, and authorities, have had no Latinos appointed. Given the overrepre-

sentation of Latinos in the criminal justice system, it is of great concern, in particular, that Latinos have been so severely underrepresented in both the Office of the Attorney General and among the justices of the trial courts.

The current picture is equally a cause for alarm. There are no Latinos holding top-level appointments at the level of commissioner, executive director, director, secretary, etc., within the executive-level branch of government. The most important executive offices have no Latinos holding top-level positions through gubernatorial appointments or as hired staff.

Notes:

¹For a complete discussion of the growth in Latino political representation in Massachusetts, see *Latino Politics in Massachusetts: Struggles, Strategies and Prospects*, edited by Carol Hardy-Fanta and Jeffrey Gerson (New York: Routledge, 2001).

²Center for Women in Government, "Appointed Policy Makers in State Government: The Regional Perspective," (Summer 1997), p. 2.

³Ibid. This study indicated that no Latinos had been appointed at this level. This suggests that there has been no improvement in Latino appointments at this level in the past five years.

⁴Massachusetts Political Almanac, 2001 edition, edited by Kenneth G. Morton and Papalinka Paradise. (Centerville, MA: Center for Leadership Studies, 2001).

⁵We would like to acknowledge again that determining who is Latino/a by name as listed is not a perfect system – it specifically misses Latinos who do not have Latino names and thus could underestimate or misstate the actual count. There are occasions, of course, where this method counts as Latino someone with a Latino name. For example, there is one individual listed at Massport with a name that could indicate that he is Latino. We are in the process of verifying these particular cases. Without doing a complete review in person of each individual (a task beyond the scope of this study), a full picture is not possible at this time.