



THE CALIFORNIA LEAGUE OF UNITED LATIN AMERICAN CITIZENS

Civil Rights Commission

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To: The California Redistricting Commission and to the People of California
From: California LULAC, California LULAC Civil Rights Commission, and San Fernando Valley LULAC Council

On behalf of LULAC we want to thank you for giving the public an opportunity to comment on the process by which you will select the final six members of the Citizens Redistricting Commission. LULAC is the largest and oldest Hispanic Organization in the United States. LULAC advances the economic condition, educational attainment, political influence, health and civil rights of Hispanic Americans through community-based programs operating at more than 880 LULAC Councils nationwide. Our organization involves and serves all Hispanic nationality groups.

As you know, the final six commissioners “shall be chosen to reflect the state’s diversity, including, but not limited to, racial, ethnic, geographic, and gender diversity.” (Gov. Code, § 8252(g).) The final six must also be chosen “based on relevant analytical skills and ability to be impartial.” (*Id.*) We believe that the remaining pool of 28 applicants is sufficiently diverse and qualified to ensure that the final Commission can meet the standards set forth in Proposition 11 and be a Commission that represents all Californians. Whether or not that happens will depend on the choices you make.

To meet the goals and criteria of Proposition 11, we believe the sitting Commissioners should take the following steps when selecting the final six commissioners:

- ***Ensure the State’s Latino population is adequately represented.*** According to the latest United States Census numbers, Latinos represent 37% of the State’s population. Currently, there is only one Latino sitting Commissioner. The Commissioners should therefore select at least four more Latino commissioners in order for the final Commission to approximate the State’s ethnic and racial diversity. The remaining applicant pool easily has the necessary diversity to meet this goal.
- ***Ensure the Commission has members with redistricting and Voting Rights Act expertise.*** The current sitting Commissioners have a wealth of diverse expertise to bring to the redistricting process. The Commission, however, currently lacks anyone who has experience with redistricting and, in particular, the Voting Rights Act, which plays such a critical role in the line-drawing process. Although the Commission will have staff, we believe it is important that the Commission have members with expertise in the area to be able to challenge staff assumptions and recommendations. Such give-and-take will increase transparency and result in stronger plans. Again, the current pool of applicants contains an individual with extensive, nonpartisan redistricting experience: Maria Blanco is a Voting Rights Act expert who has both lectured on the subject at the State’s preeminent universities and also represented nonprofits in the redistricting process.
- ***Ensure Southern California is properly represented.*** Southern California makes up more than 55% of the state yet only 3 of the 8 current commissioners. For example, the City of Los Angeles is the state’s largest city and contains more than 10 percent of the State’s total population. Yet, it currently does not have representation on the Commission. This should be rectified in order to ensure geographic diversity. At least one of the additional commissioners should come from the City of Los Angeles and a majority of the remaining commissioners should come from Southern California. We are particularly impressed with Gabino T. Aguirre from Santa Paula. From reading his application, we are impressed that throughout his life he has strived to achieve the ideal that LULAC stands for.

The historical experience of both the Latino and African-American communities throughout California with gerrymandering—a practice that while curbed has continued unabated while controlled by the legislature—explains why it is critical that these perspectives be represented in the Commission:

- As recently as 1971, only a single Mexican-American, Alex Garcia, represented Los Angeles County in the State Assembly and there were no State Senators of Latino ethnicity from the county. This was a result of the practice of

deliberately splitting up Latino voters into several assembly districts to make them safe seats for Anglo Democratic incumbents.

- While Assembly Member Felipe Fuentes and Senator Alex Padilla were raised in Arleta in the heart of their respective Northeast San Fernando Valley districts, continued gerrymandering has prevented any significant primary election challenge for Representative Howard Berman (who only moved to the San Fernando Valley in 1972 expressly because the redistricting plan that had given him a Los Angeles Westside Assembly District on a silver platter was thrown out). In the last reapportionment to keep his Congressional seat incumbent safe, a bizarre re-mapping of the San Fernando Valley was orchestrated to shift a large part of the Latino electorate into the neighboring district of Representative Brad Sherman.
- In 1981, after the narrow defeat of incumbent Representative Jim Corman due to a third-party candidacy siphoning off votes in the very district now represented by Howard Berman, Berman (then in the State Assembly) orchestrated legislation to throw the third party off the ballot. The legislation was allowed to die when that party's research demonstrated that in the four California counties that have been convicted of Voting Rights Act violations, no Latino, African American, Asian American, or Native American candidates had ever made it to the runoff ballot on a major party ticket and had only been able to run on the ballot line of the very party that had been proposed to be eliminated from ballot access.

We strongly urge you to take these considerations into account in choosing your colleagues on the Commission, and we thank you for this opportunity to express our concerns.

Respectfully Yours,



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