

Victoria & Leticia Ramierz

7-24

[REDACTED]
Anaheim, CA 92804
[REDACTED]

July 24, 2011

Citizens Redistricting Commission
901 P Street, Suite 154-A
Sacramento, CA 95814

RE: Orange County Senate Districts

Dear Commissioners:

Our family has lived in the City of Anaheim for over 19 years, we all attended the local public schools in the area and now as adults, we have a vested interest in living in this community long term and hopefully raising a family here.

We want to reiterate the recommendation that the Commission adopt a Senate District in Central Orange County that clearly can be delineated to encompass a key working class and ethnically diverse community which is quite different than the larger and much more affluent areas in Orange County.

We are writing to urge the Commission to reject any changes to Senate District WSTSA that will further dilute the lower socioeconomic community of interest that exists between the communities of Anaheim, Santa Ana, Stanton Garden Grove, Buena Park and southern Fullerton.

Orange County is unique in that it includes some of California's most affluent communities in close proximity to some of California's poorest communities. For example, the overwhelming majority of schools in this area have 50% or more of their student body on free and reduced lunch programs.

The July 22nd proposals, the so called "option 3" and "option 4", would eliminate any possibility of these communities to elect a representative of their choice. The July 14th proposal called Senate So-Cal makes this possible.

If anything, this Commission should seek to modify Senate District WSTSA to include more of the City of Garden Grove, which has a poverty rate of nearly 14% and remove La Palma and Cypress.

Just because you are poor and live in Orange County doesn't mean that you shouldn't have a voice in the State Senate – particularly when providing such a voice is within the power of this commission.

We ask you, if this Commission cannot provide this community a voice, then who can?

Sincerely,

Victoria Ramirez
City of Anaheim Planning Commissioner

Leticia Ramirez
UCLA Law Student raised and educated in Anaheim

7-24



THE CALIFORNIA
INSTITUTE
FOR JOBS, ECONOMY AND EDUCATION

July 23, 2011

VIA EMAIL: Daniel.claypool@crc.ca.gov
& Commission Email List

Mr. Daniel Claypool
Executive Director
& Honorable Commissioners
California Redistricting Commission
901 P Street, Suite 154-A
Sacramento CA 95814

Re: “Racially Polarized Voting” in Los Angeles County and Voting Rights Act
Section 2 Districts

Dear Mr. Claypool and Commissioners:

We have closely observed the Commission’s meetings and comments related to the identification of Voting Rights Act, section 2 districts to avoid “vote dilution” under the *Thornburg v. Gingles* (1986) 478 U.S. 30, 50-51 requirements. We inquire as to the basis for which the Commission has chosen to apply different standards of the Voting Rights Act section 2 to Latino communities and another to Asian and African American communities.

The Institute plan that was presented to you in Oakland on May 26, 2011 and refined to further reduce population deviation and city splits and resubmitted June 28, 2011 demonstrated that one section 2 African American Congressional seat, one section 2 African American Senate seat, and two section 2 African American Assembly seats could be drawn in a compact way in Los Angeles County.

You seem to have chosen to apply the Voting Rights Act criteria differently in this area for the African American community justifying this approach as reflective of community of interest testimony. However, under section 2 the question is not whether “these are the districts” a particular group says it prefers but rather “have we complied with the very strict requirements of the Voting Rights Act?”

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Professor Barreto provided you with a Voting Rights Act “racially polarized voting” analysis for Latinos in Los Angeles County. That analysis is limited in both scope and context. Mr. Baretto based his research on the idea that California still has a closed partisan primary nomination process, since the data he presented compared votes for candidates in a closed Democratic primary and for a general election based on that closed primary.

However, the relevance of such data is highly suspect due to passage of Proposition 14 in 2010 of an open primary system where any voter can vote for any candidate regardless of the candidate’s expressed party preference, and a general election based on the open primary in which two candidates who express a preference for the Democratic Party may be the only candidates on the ballot. In short the premises of Professor Barreto’s analysis are faulty. Moreover, where a section 2 district can be drawn, as the Institute’s maps have demonstrated, the Commission’s burden is to show why such districts fail to meet section 2 standards.

One advantage the Commission presumably anticipated in its contracting with Q2 Data & Research † was the overlap between key principals of Q2 for responsibility of the management of the statewide database. Unfortunately, this benefit has largely been unfulfilled. The statewide database has data readily available reflecting one of the most racially polarized voting patterns in the history of California: the 2008 Democratic Presidential primary between then- Senators Obama and Clinton. This data explicitly reveals racially polarized voting in Los Angeles County between African Americans and Latinos.

The charts and maps attached visually reflect this dynamic at the polls. Chart A is a “racially polarized voting analysis” at the level provided by Professor Baretto and can easily be replicated by Q2 — the data is available on the statewide database.

You have acted on the dangerous assumption that either such racially polarized voting does not exist (or have failed to heed legal advice contrary to public testimony from affected minorities) or that racially polarized voting does exist but that for other reasons section 2 of the Voting Rights Act does not apply.

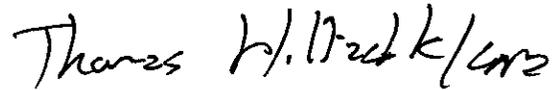
This action is made even more dangerous by a failure to inquire of existing consultants to explore publicly-available sources of such data.

The exploration of what constitutes “communities of interest” is an important mandate of Proposition 11, Art. XXI, section 2 (d) (3), yet it is clearly subordinate to the Art. XXI, section 2 (a) requirement that you comply with section 2 of the Voting Rights Act, and that requires the drawing of “majority minority” districts to avoid vote dilution.

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We appreciate the opportunity to present this analysis and ask that you seriously weigh the risk the assumption places on the work of the Commission. We believe the Commission needs to examine and then address why it has failed to identify all possible section 2 districts in Los Angeles County such as the ones identified by the Institute which were provided previously.

Very truly yours,

A handwritten signature in black ink that reads "Thomas W. Hiltachk". The signature is written in a cursive, slightly slanted style.

Thomas W. Hiltachk
California Institute for Jobs,
Economy & Education

Enclosures

African American and Obama Primary Vote in City of Los Angeles

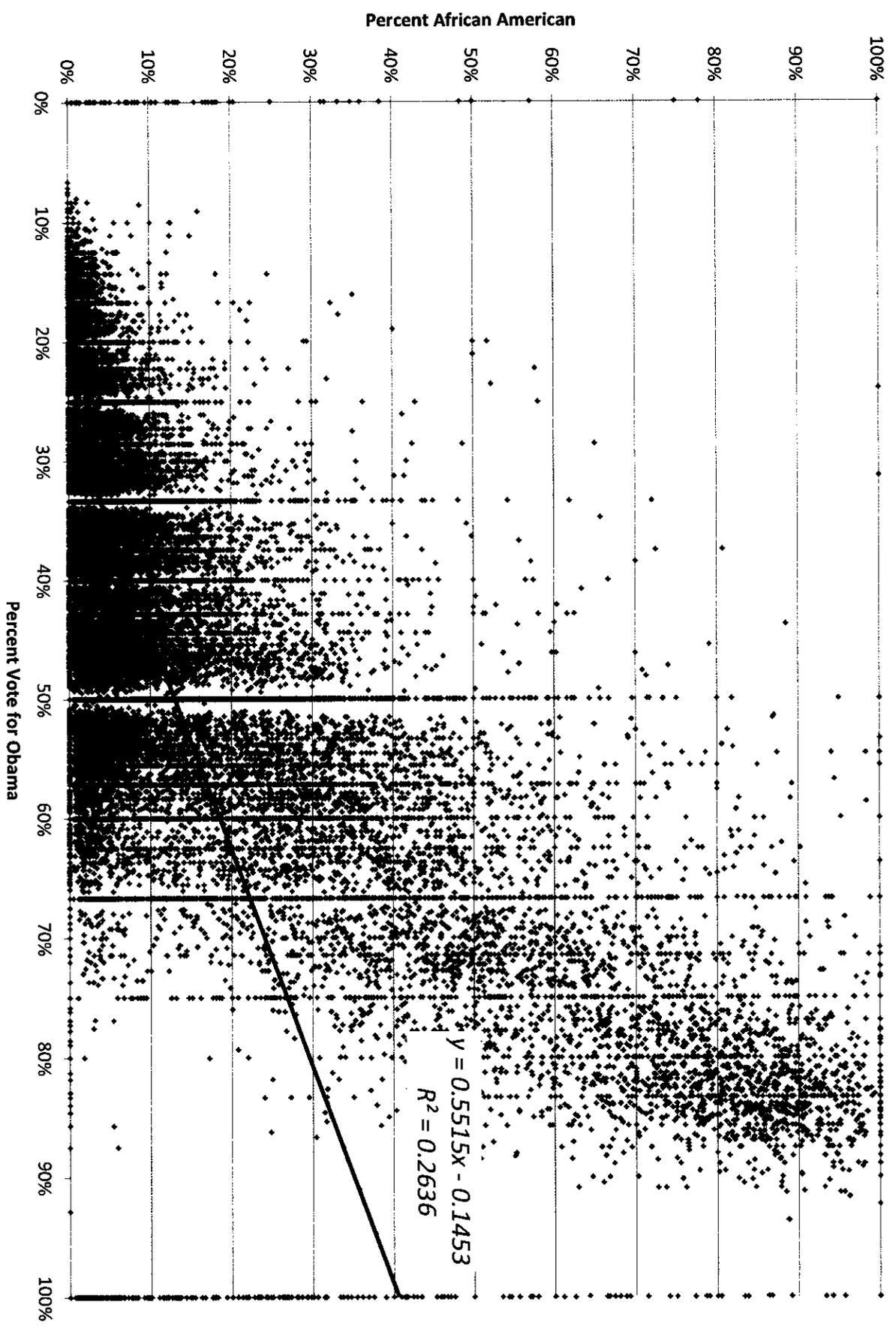
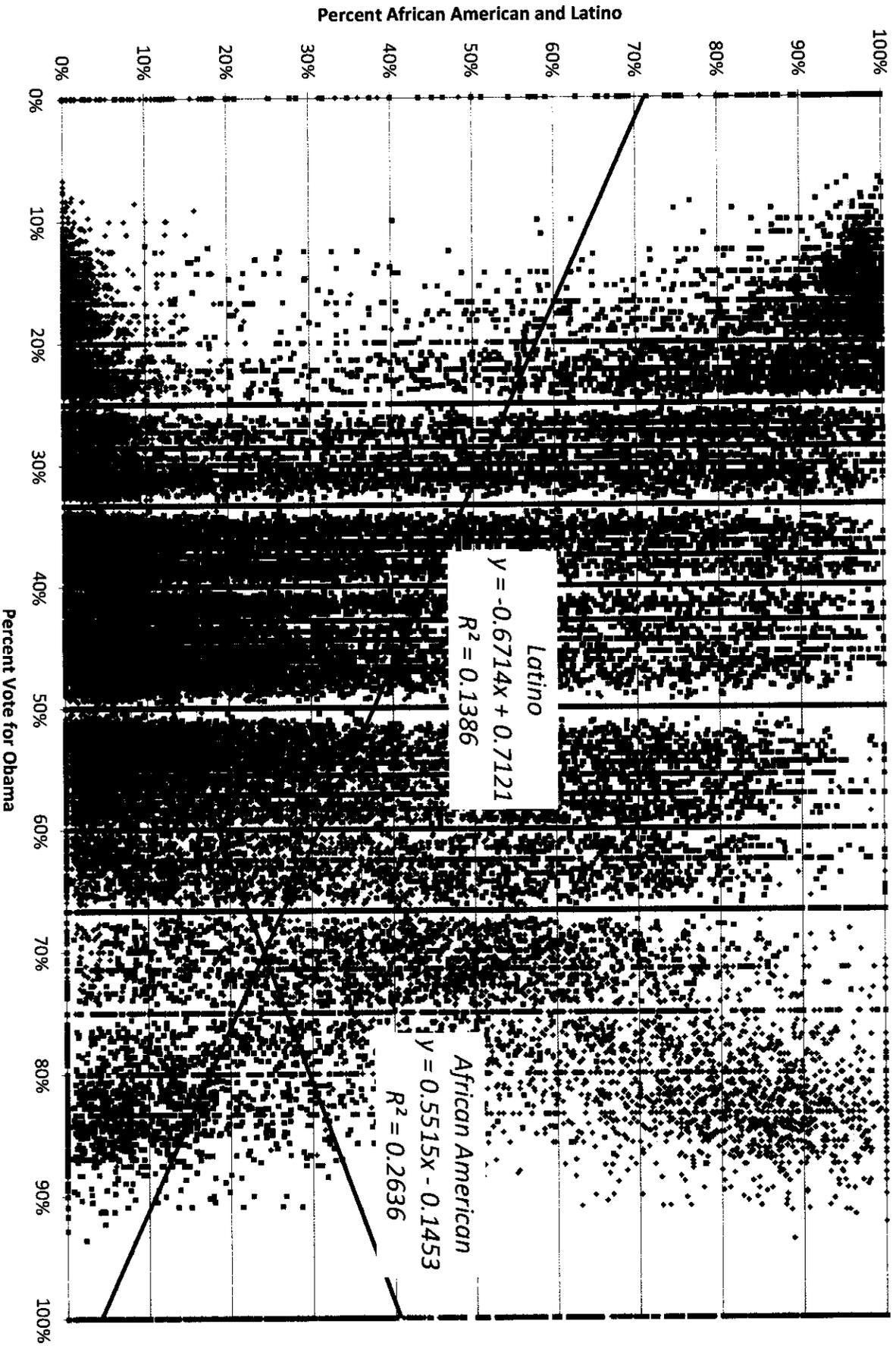
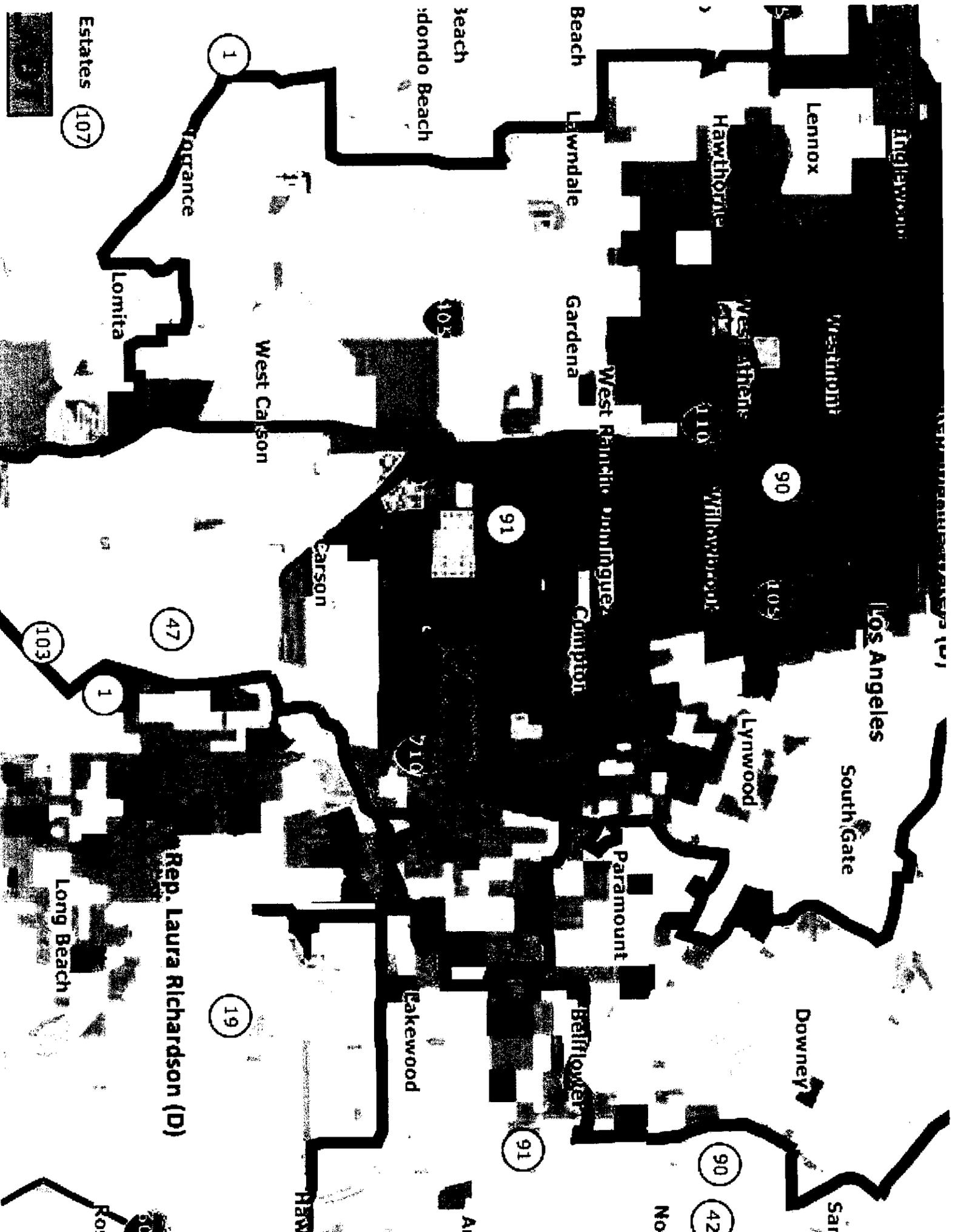


Chart Title





Los Angeles

South Gate

Downey

San Antonio

Lynwood

Paramount

Bellflower

Lakewood

Compton

Gardena

West Athens

Lennox

Hawthorne

Lawndale

Beach

Long Beach

West Carson

Lomita

Rep. Laura Richardson (D)

Long Beach

Estates

107

90

42

91

719

19

47

103

1

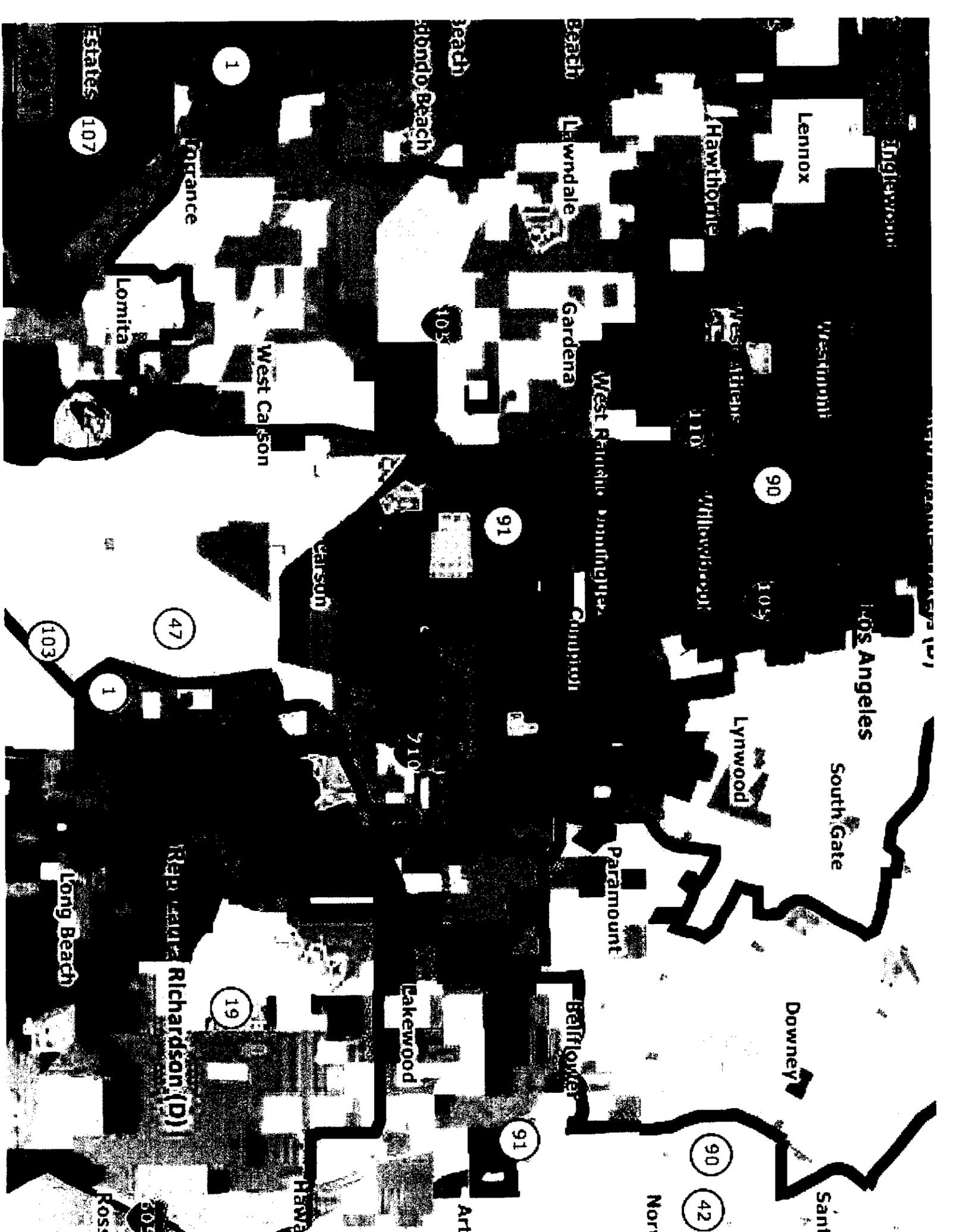
502

Rosemead

Newport

Art

North



Inglewood

Lennox

Hawthorne

Westmonte

Beach

Estates 107

1

Portrance

Lomita

West Carson

Gardena

105

West Shoshone

West Athens

110

Culver City

90

109

91

Carson

47

103

1

Los Angeles

South Gate

Lynwood

Downey

Paramount

Bellflower

Lakewood

Long Beach

Richardson (D)

19

91

90

42

San

Nor

Art

HAWAII

Ross

Section 5 Benchmarks

	Assembly Current	Assembly CRC	Senate Current	Senate CRC	Congress Current	Congress CRC	BOE Current	BOE CRC	BOE Proposed
Kings County									
Latino	68.80%	68.89%	70.90%	71.16%	70.40%	70.96%	39.22%	39.84%	41.73%
Asian	3.20%	3.39%	5.20%	4.68%	5.10%	3.52%	7.73%	10.27%	6.20%
African American	5.50%	6.70%	5.30%	5.05%	6%	4.91%	5.67%	6.48%	5.40%
Latino VAP	63.40%	63.64%	66.20%	66.26%	65.70%	65.85%	34.34%	35.08%	36.53%
Asian VAP	3.60%	3.75%	5.40%	4.89%	5.20%	3.92%	7.93%	10.77%	6.38%
African American VAP	6.70%	7.55%	6%	5.56%	6.80%	5.59%	5.53%	6.40%	5.27%
Latino CVAP	46.81%	46.26%	50.88%	50.53%	50.53%	49.26%	24.27%	24.94%	25.73%
Asian CVAP	3.87%	3.85%	5.19%	4.51%	4.98%	3.96%	6.28%	8.71%	4.97%
African American CVAP	9.62%	10.60%	9.04%	7.75%	10.40%	7.70%	6.09%	7.31%	5.76%
Monterey County									
Latino							26.05%	27.37%	41.73%
Asian							19.26%	18.62%	6.20%
African American							5.77%	5.05%	5.40%
Latino VAP							22.61%	23.80%	36.53%
Asian VAP							20.12%	19.12%	6.38%
African American VAP							5.74%	5.06%	5.27%
Latino CVAP							14.75%	15.54%	25.73%
Asian CVAP							16.50%	15.70%	4.97%
African American CVAP							6.68%	5.81%	5.76%

7-24

Mr. Daniel Claypool
Executive Director
& Honorable Commissioners
California Redistricting Commission
901 P Street, Suite 154-A
Sacramento CA 95814

Dear Mr. Claypool and Commissioners:

In the past few days we have come to support a plan for the Board of Equalization (BOE) that better balances the interests of the state than your current visualizations. That proposed plan meets population equality standards, raises both the Voting Age Population (VAP) and Citizen Voting Age Population (CVAP) for Latinos in all four Voting Rights Act (VRA) Section 5 Counties, has compact districts, and splits no cities and only two counties.

As we observed the Commission yesterday, the advice you seem to have gotten was that VRA Section 5 required the VAP and CVAP numbers to not retrogress for all ethnic groups. This is not a standard that we have seen applied anywhere in the law. Yet despite this articulated standard for CRA Section 5, your own proposed map for the BOE show a decrease to Asian VAP and CVAP as well as African American VAP and CVAP.

The Commission also seem to have had discussions about the relevant benchmark data for this test. Part of your direction to Q2 has been to work with your legal counsel to determine the appropriate standard for benchmarks due to the uncertainty created by the US Supreme Court as to the demographic information from the 2010 census or the data when the districts were drawn in 2001 is what is most appropriate. That uncertainty would not explain the decrease in African American and Asian benchmarks under either standard for Kings County Senate and Congressional districts. We assume this applies to others as well but have not had adequate time to study all of the applications.

We urge you to maintain the ethnic composition of the City of Los Angeles and surrounding cities, not to split communities of interest in Los Angeles County and not to consolidate two very different communities of interest Orange County and Los Angeles County. The NAACP believes you can maintain the current population equality in Los Angeles Board of Equalization district and meet all of your population equality standards in the other district.

Certainly the boundaries for the 4th district of the BOE as reflected in the maps presented yesterday by the African American coalition meets these objectives and would only require adjustments to the other three BOE district to accomplish this new criteria. We believe this would also be consistent with historical interpretations of the Voting Rights Act by the Department of Justice.

Sincerely,

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