

Equality California | eqca.org

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Sacramento 95814

Northern California Office:

San Francisco 94114

Southern California Office:

Los Angeles 90069

Fax

To: CA Citizens Redistricting Commission From: Mario Guerrero, Gov. Affairs Director

Fax: [redacted] Fax: [redacted]

Phone: [redacted] Phone: [redacted]

Re: LGBT Community of Interest Pages: 19 including cover

Date:

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Greetings,

I respectfully submit the attached letter and maps (including a database outline document) in support of the CA Citizens Redistricting Commission's recognition of the lesbian, gay, bisexual, and transgender community as a community of interest. If possible, please confirm receipt of this information. I have also submitted these documents electronically at votersfirstact@crc.ca.gov. Please let me know if you have any questions.

Thank you,

:::: ::::
Mario Guerrero
Government Affairs Director
Equality California :: Equality California Institute

Find out more about EQCA's [current legislation](#)
:: Capitol Office
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:: [redacted]

Equality California



June 10, 2011

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

Re: Community of interest: Lesbian, Gay, Bisexual and Transgender community

Dear Commissioners,

Equality California is the largest statewide lesbian, gay, bisexual, and transgender civil rights advocacy organization in California with more than 700,000 members statewide. Over the past decade, Equality California has passed more than 75 pieces of legislation and continues to advance equality through legislative advocacy, electoral work, public education and community empowerment.

On behalf of the board and staff of Equality California I would like to thank the members of the California Citizens Redistricting Commission for your service. And on behalf our 700,000 members in California, I write to urge you to recognize the LGBT community as a unique community of interest to ensure fair and appropriate representation.

The LGBT communities in California are a community of interest using the community of interest standard. Drawing from *Legislature v. Reinecke*, 10 Cal. 3d 396, 412 (1973), the California constitution provides as follows: "A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates." Cal. Const. art. 21, sec. 2(d)(4); *see Reinecke*, 10 Cal. 3d at 412 (listing most of these requirements); *id.* at 416 ("travel patterns, geography, common economic activities and other 'community of interest' indicators). Thus, the court appears to rely on an intuitive notion of a geographic area united by a similar lifestyle or culture. We may identify certain specific factors, however, from court opinions from California and elsewhere, and legal scholarship.

In particular, the existence of geographically compact minority communities of interest clearly limits the political subdivision principle. If a community may be identified as (1) a minority group that is (2) geographically compact or has a "sense of community" it constitutes a community of interest.

██████████ | San Francisco, CA 94114 | ██████████ (voice) ██████████ (fax)

██████████

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While not discussed in relevant California cases, scholars and other courts have identified other factors that may also play a role:

- “The social and economic interests common to the population of an area which are probable subjects of legislative action generally termed a “community of interests” should be considered in determining whether the area should be included within or excluded from a proposed district so that all of the citizens of the district may be represented reasonably, fairly and effectively. “ *The California Supreme Court in Legislature v. Reinecke*, 10 Cal. 3d 396, 401, 412 (1973). “[A]ge, economic status, religious and political persuasion, and a variety of other demographic factors.” *Shaw v. Reno*, 509 U.S. 630, 646 (1993).
- “[C]ultural ties.” *Mellow v. Mitchell*, 607 A.2d 204, 220-21 (Pa. 1992). A similar formulation notes that “a ‘community of interest’ exists when ‘residents share substantial cultural, economic, political, and social ties.’” Statement of Elizabeth OuYang in TARRY HUM, REDISTRICTING AND THE NEW DEMOGRAPHICS: DEFINING “COMMUNITIES OF INTEREST” IN NEW YORK CITY 15 (2002).
- “[W]hether a group has suffered an identifiable history of discrimination in education, health and employment.” Stephen J. Malone, Note, *Recognizing Communities of Interest in a Legislative Apportionment Plan*, 83 VA. L. REV. 461, 478 (1997); Cf. Statement of Gary Okihiro in HUM *supra* at 26 (such a sense of community grows out of a “community of memory.”).
- “[A] community of limited liability, a community of opportunities, a community of shared institutions, and a community bound by common goods.” Statement of Paul Ong in HUM, *supra* at 14.
- A recent California based project is engaging in an empirical study to provide evidence for the community of interest standard in Asian-American communities, and outlines some other factors such as income/economic class, occupation, education, mode of travel, media usage, language, political stance, political engagement, information networks, and common risks faced. CAROL OJEDA KIMBROUGH, EUGENE LEE & YEN LING SHEK, THE ASIAN AMERICANS REDISTRICTING PROJECT: LEGAL BACKGROUND OF THE “COMMUNITY OF COMMON INTEREST” REQUIREMENT (2009).

Given this understanding of the community of interest requirement, it would appear that LGBT communities should remain intact in the redistricting process, especially those that exist in a particular political subdivision as a minority community. In certain areas, the LGBT community satisfies both requirements of a minority community of interest. First, the California Supreme Court has recognized that LGBT individuals form a specific minority group with a common history of discrimination. *In re Marriage Cases*, 43 Cal.4th 757, 841 (2008). Next, LGBT minorities form geographically compact groups with a sense of community in certain locations. For example, the City of West Hollywood is a political subdivision, containing a large number of LGBT individuals, estimated at 40% of the community, and shares a common history and identity. Ian Lovett, *Changing*

Equality California



Nature of West Hollywood, Long a Gay Haven, Becomes an Election Issue, N.Y. TIMES, Mar. 6, 2011.

Finally, note that the community of interest standard plays a role even when a minority group does not form a majority within a district. For example, the “sense of community” was protected in *Wilson v. Eu* in part by “forming minority *influence* districts to maximize the voting potential of geographically compact minority groups of appreciable size . . . even though the individual minority groups . . . were of insufficient size to constitute a majority in their voting districts.” 1 Cal. 4th 707 at 715. Therefore, on behalf our members I hope you will recognize the community of interest standard in a way that will ensure the fair representation of the LGBT community in California. I am submitting maps that highlight the LGBT community as a community of interest.

Very truly yours,

A handwritten signature in black ink that reads 'Jim Carroll'.

Jim Carroll

Interim Executive Director



Database Outline

The database created for EQCA by Redistricting Partners includes the following datasets. Each dataset was imported and ranked based on density within the census block group level. These rankings were then summed and used to create the final ranking, called the LGBT Blend Rank or LGBT COI (Community of Interest). This methodology has been reviewed by the Williams Institute and university researchers from USC and CSU.

Person and Household Datasets

	Level	Datapoints	Denominator	Source
Equality California Donors and Members	Address	358,002	18+ Population	EQCA
National Center for Lesbian Rights Donors	Zip Code	18,838	18+ Population	NCLR
Gay and Lesbian Victory Fund Donors	Zip Code	17,950	18+ Population	GLVF
National Gay and Lesbian Task Force	Zip Codes	27,080	18+ Population	TF
Redistricting Partner Database	Address	27,000	18+ Population	Secretary of State
Donors No on 22	Zip Code	6,399	2001 18+ Pop	Secretary of State
Donors No on Prop 8	Zip Code	47,015	18+ Population	Secretary of State
Same Sex Heads of Household	Census Tract	96,874	Households	US Census American Community Survey
POLSIQ Voters	Census Block	184,176	2000 Voter Reg	Political Data Inc.
Total Datapoints		840,095		

Election Outcome Datasets

	Level	Denominator	Source
Prop 8 No	Census Block	2002 General Votes Cast	Political Data Inc.
Prop 22 No	Census Block	2000 Primary Votes Cast	Statewide Database

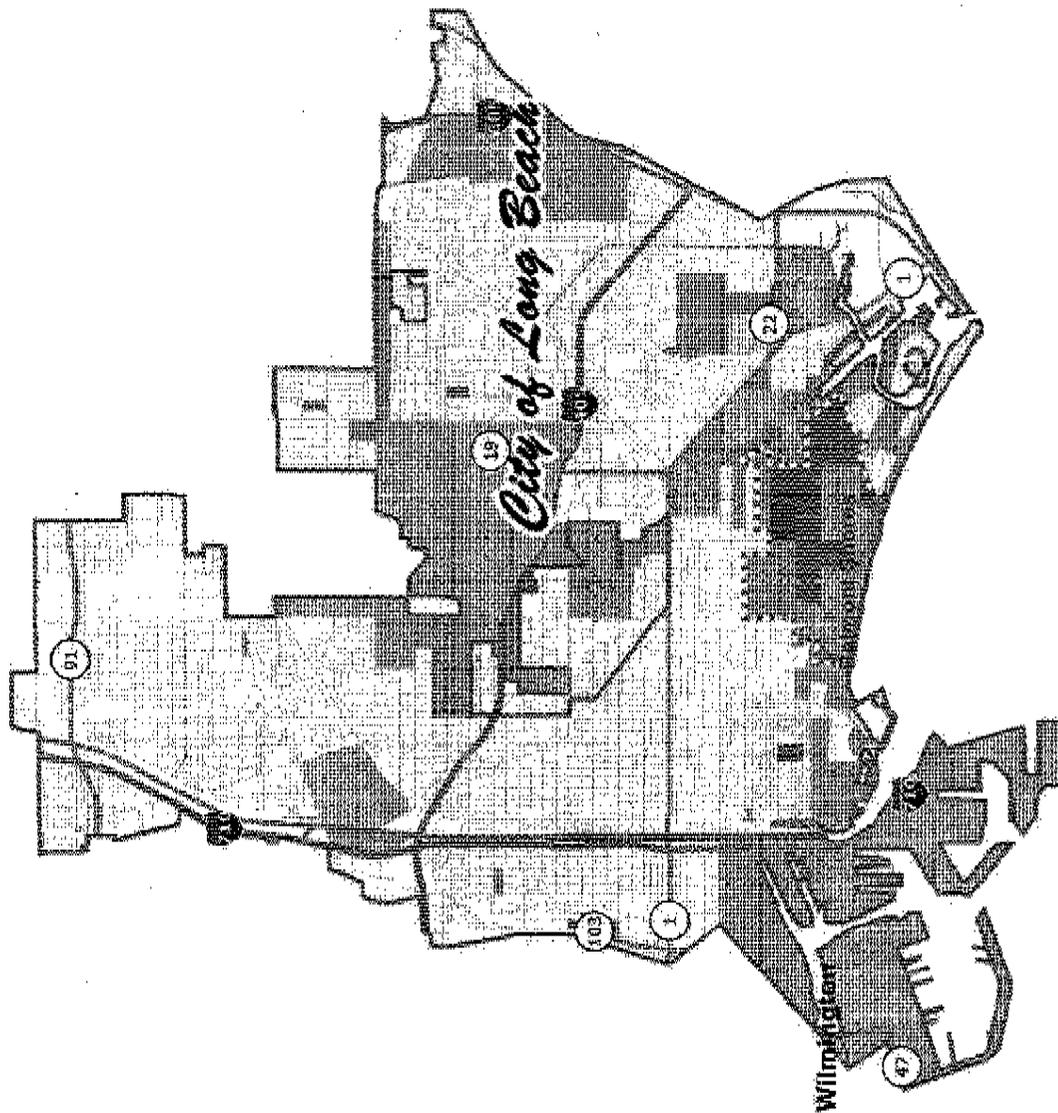
LGBT Community of Interest Map CITY OF LONG BEACH



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LGBT Blend Rank

- 90-94th Percentile
- 95-97th Percentile
- 98-99th Percentile
- Other



Field	Value
Population	462,267
pop_domesticpartner	2,787
Prop 8 No	51%
Yes on Prop 8	49%
Prop 22 No	49%
Yes on Prop 22	51%
Prop 8 Donors	774
Prop 22 donors	95
LGBT Organizations	7,642
Men_SSHH	974
Women_SSHH	795
POSSLQ_Count	4,965

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For more on these maps: Equality California :

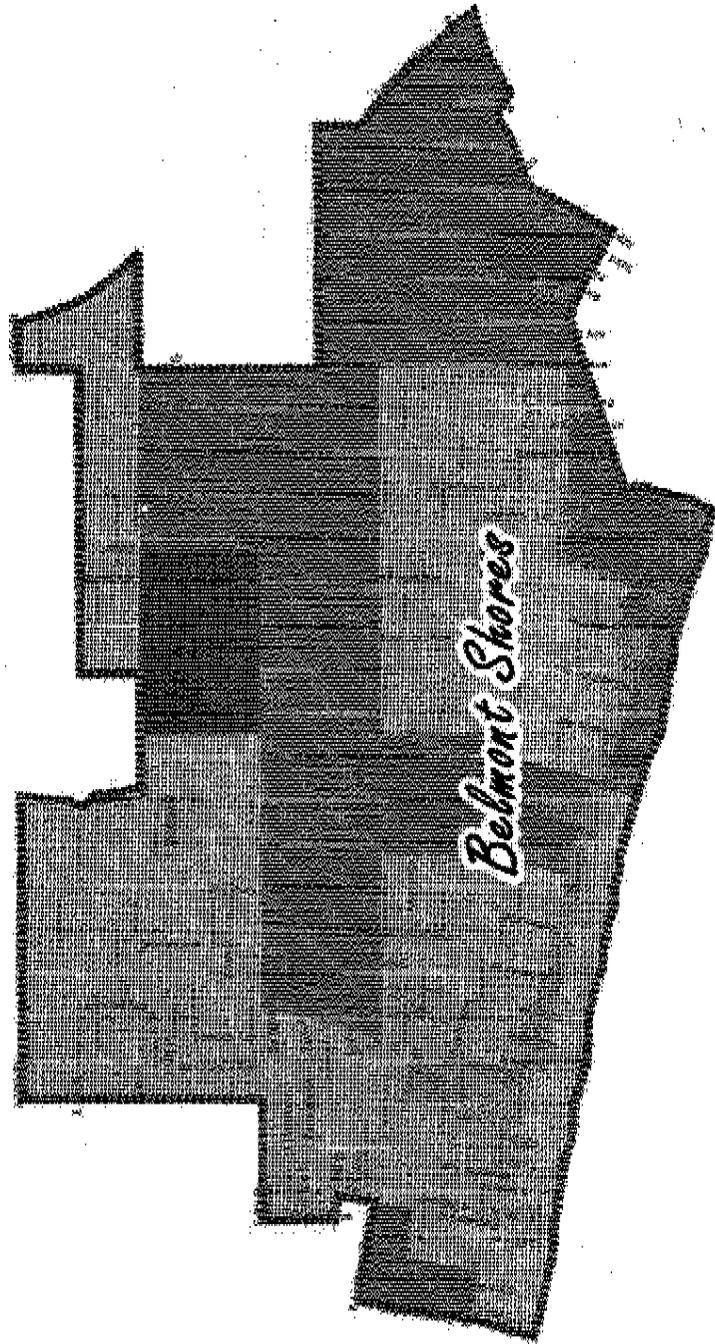
LGBT Community of Interest Map LONG BEACH - BELMONT SHORES



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LGBT Blend Rank

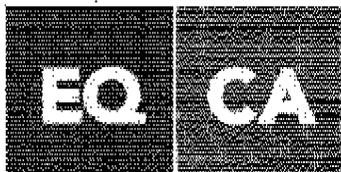
- 90-94th Percentile
- 95-97th Percentile
- 98-99th Percentile
- Other



Field	Value
Population	37,703
pop_homosexualpartner	662
No on Prop 8	73%
Yes on Prop 8	27%
No on Prop 22	63%
Yes on Prop 22	37%
Prop 8 Donors	127
Prop 22 donors	18
LGBT Organizations	1,632
SSHH_Count	450
Men_SSHH	251
Women_SSHH	199
POSSLQ_Count	970

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For more on these maps: Equality California ::



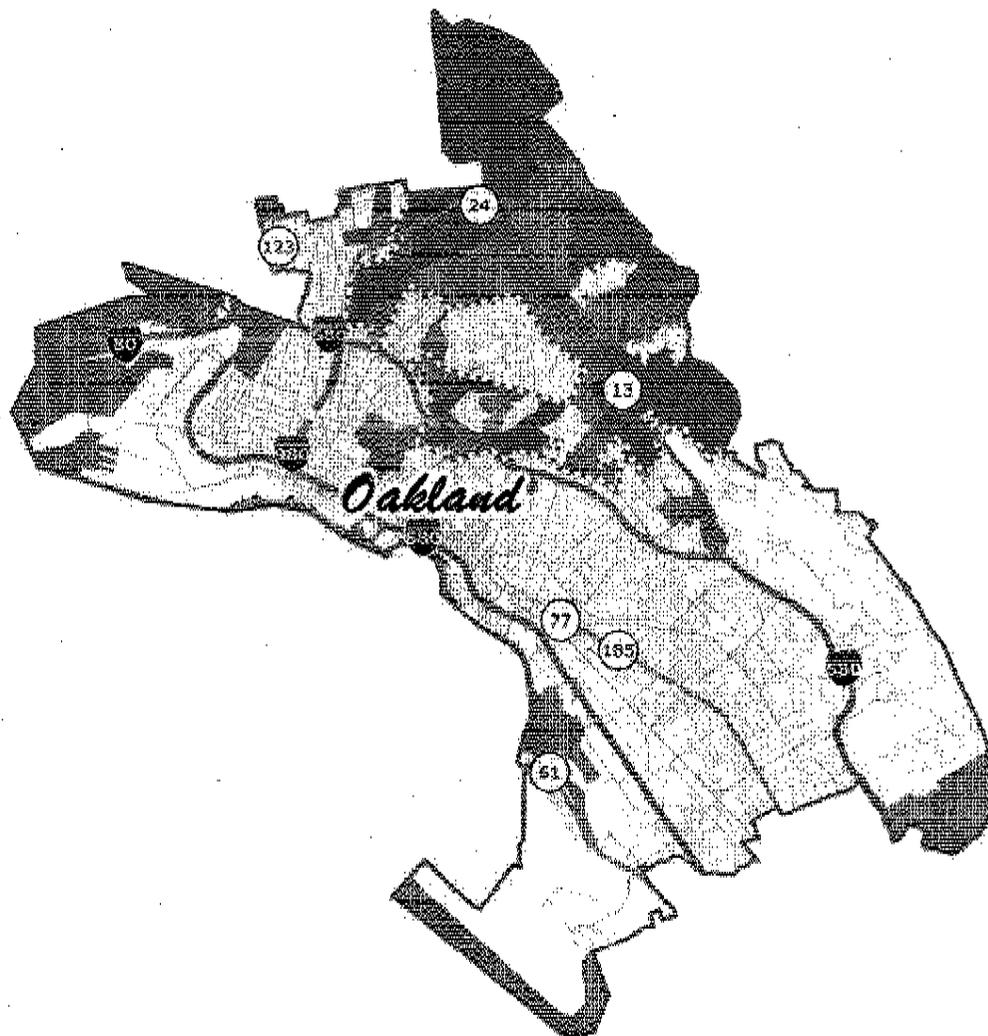
LGBT Community of Interest Map OAKLAND HILLS

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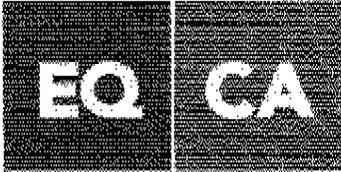
LGBT COI Rank

- 98th Percentile
- 99th Percentile
- Other

Field	Value
Population	398,724
pdf_domesticpartner	3,437
Prop 8 No	89%
Yes on Prop 8	31%
Prop 22 No	88%
Yes on Prop 22	32%
Prop 8 Donors	2,009
Prop 22 Donors	358
LGBT Organizations	15,642
Married_SSBH	1,125
Married_SBBH	1,398
POSSBQ_Count	5,528



REDISTRICTING PARTNERS



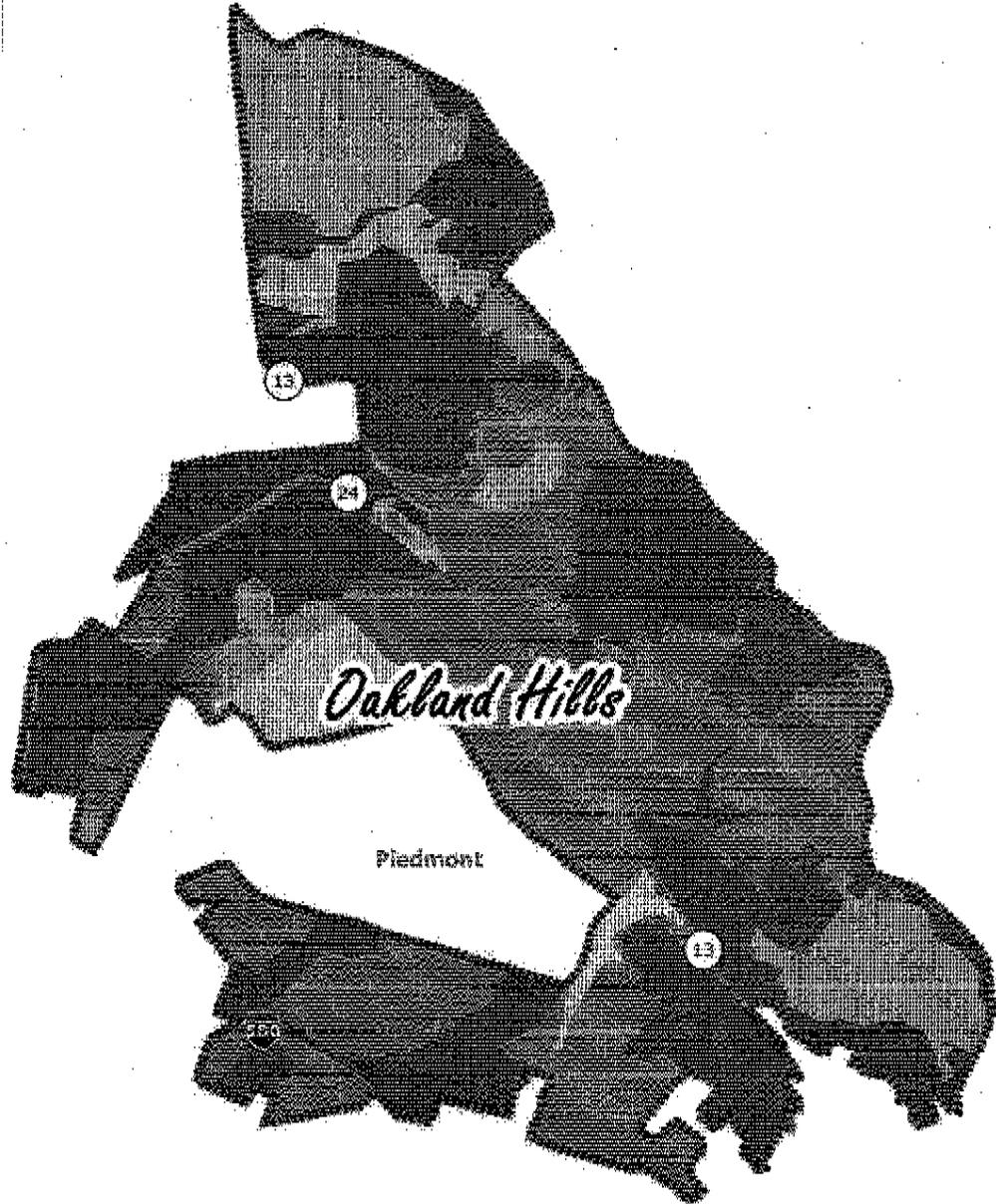
LGBT Community of Interest Map OAKLAND HILLS

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LGBT Blend Rank

-  90-95th Percentile
-  95-99th Percentile
-  99th Percentile
-  Other

Field	Value
Population	65,412
pd_domesticpartner	1,211
No on Prop 8	80%
Yes on Prop 8	19%
No on Prop 22	70%
Yes on Prop 22	30%
Prop 8 Donors	1,647
Prop 22 donors	144
LGBT Organizations	6,362
SSHN Count	844
Men, SSNHT	433
Women, SSNHT	404
POSSLQ Count	1,722



REDISTRICTING PARTNERS



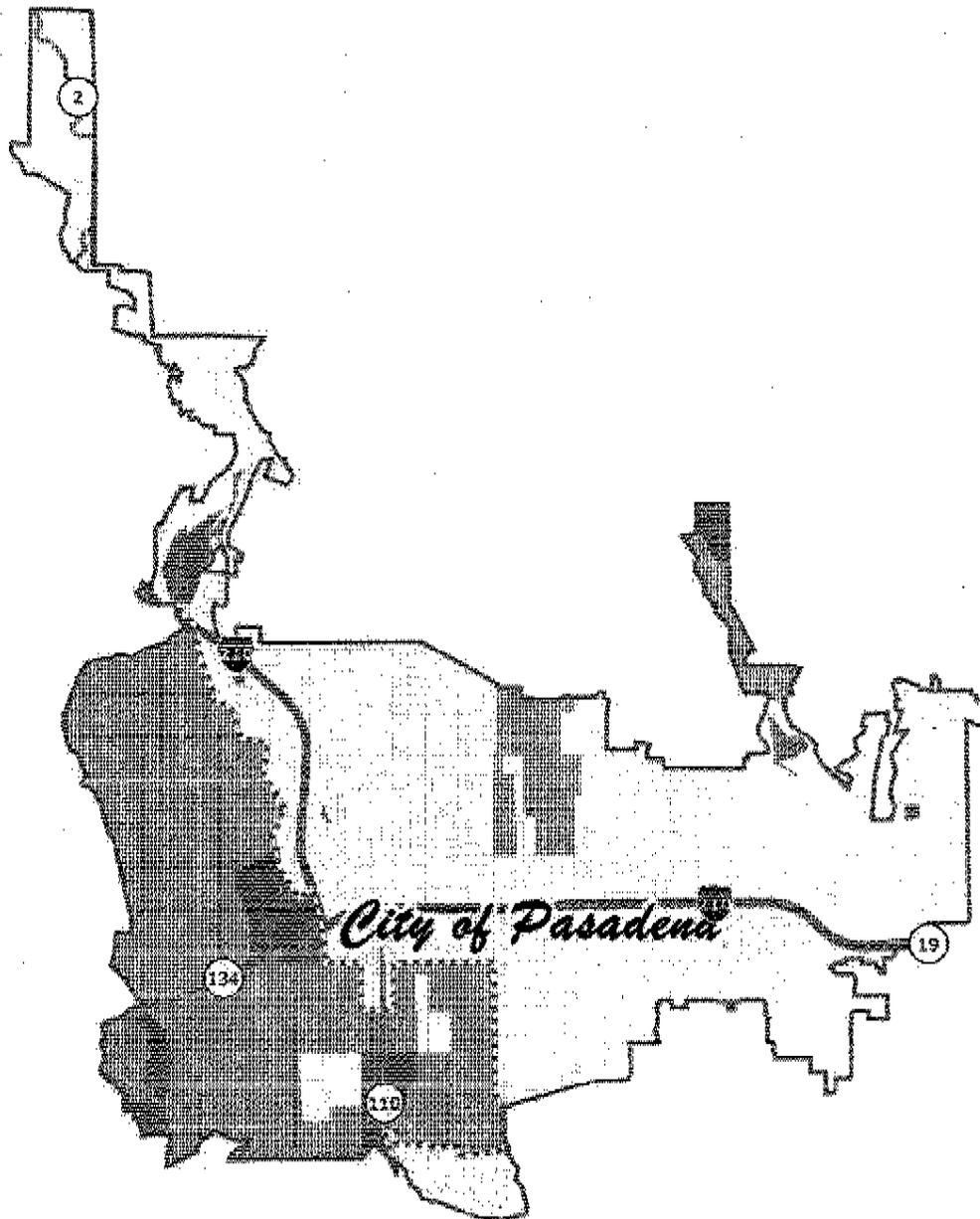
LGBT Community of Interest Map CITY OF PASADENA

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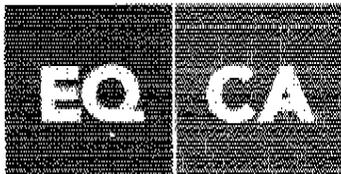
LGBT Blend Rank

-  90-95th Percentile
-  95-99th Percentile
-  99th Percentile
-  Other

Field	Value
Population	137,132
pd_domeo00parto0r	62E
Prop 8 No.	96%
Yes on Prop 8	44%
Prop 82 No	48%
Yes on Prop 22	52%
Prop 8 Donors	41E
Prop 22 donors	89
LGBT Organizations	3,569
Men 55HH	200
Women 55HH	136
POSSLO_Count	1,094



 REDISTRICTING
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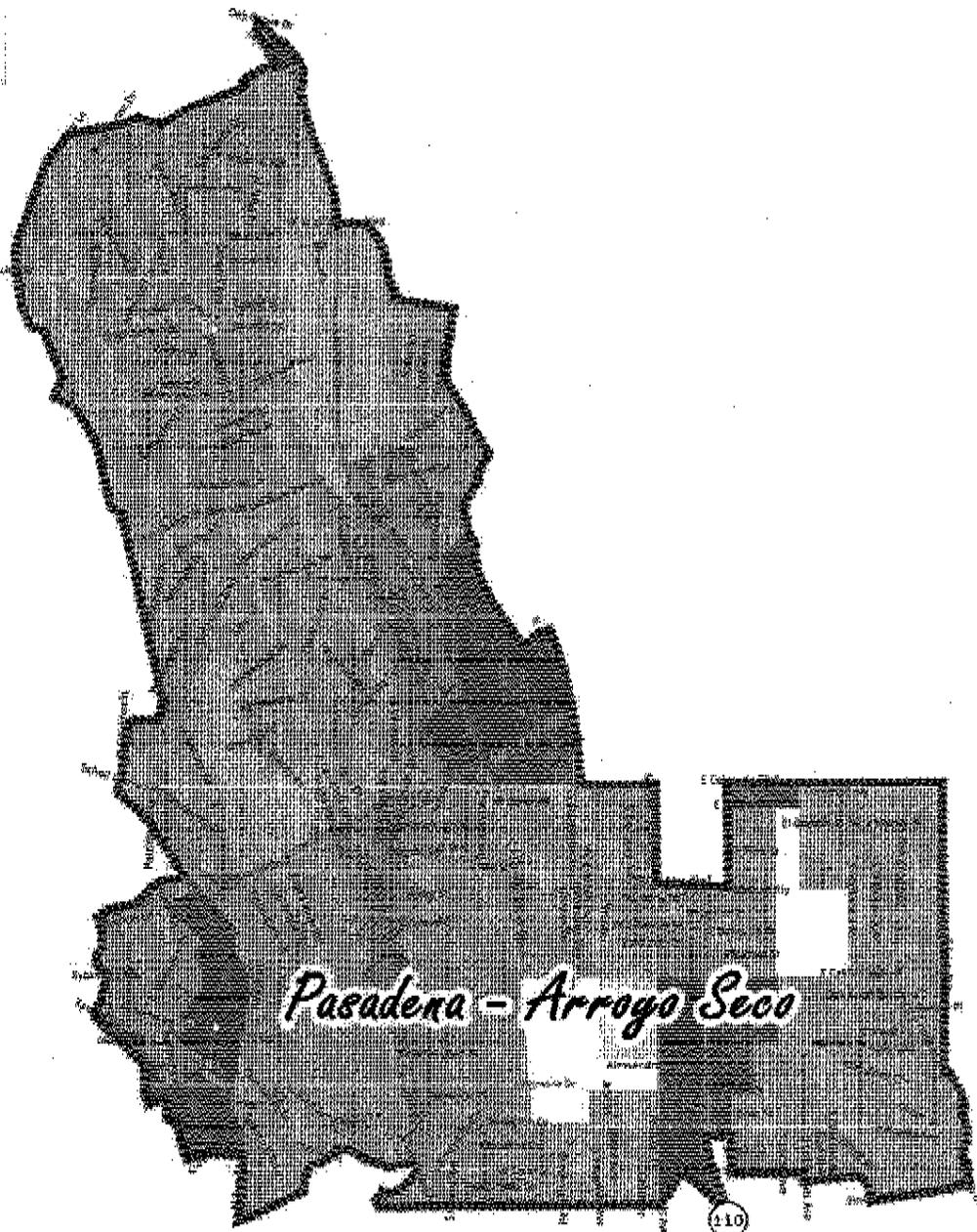
LGBT Community of Interest Map PASADENA - ARROYO SECO

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LGBT Blend Rank

-  90-95th Percentile
-  95-99th Percentile
-  99th Percentile
-  Other

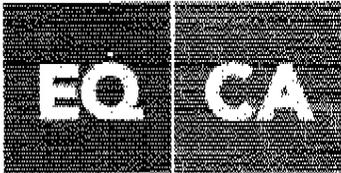
Field	Value
Population	20,559
pd_domesticpartner	154
No on Prop 8	83%
Yes on Prop 8	17%
No on Prop 22	70%
Yes on Prop 22	30%
Prop 8 Donors	174
Prop 22 donors	27
LGBT Organizations	1,254
SBHH Count	162
Men_SBHH	112
Women_SBHH	57
POSSLQ_Count	406





REDISTRICTING


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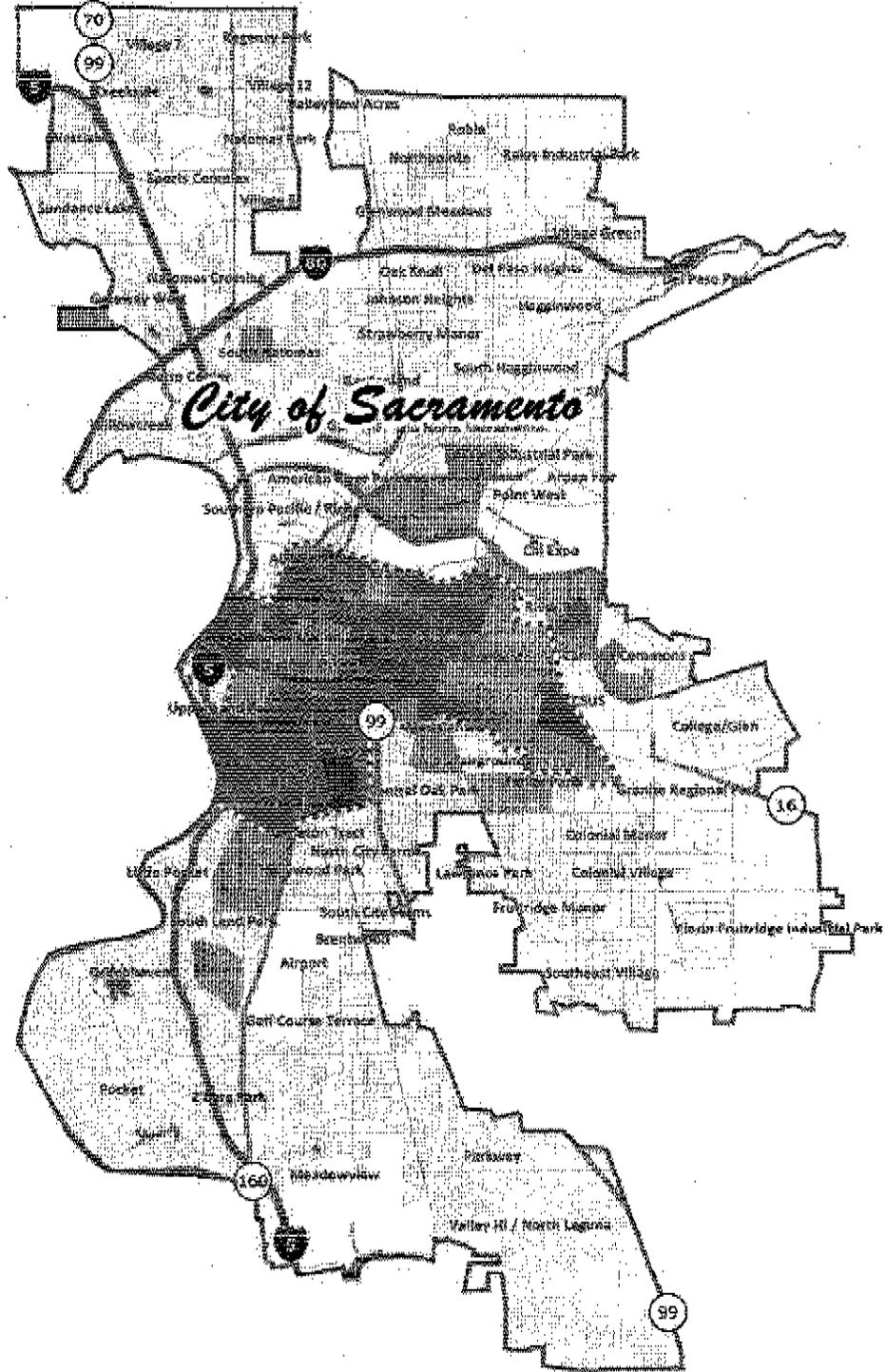
LGBT Community of Interest Map CITY OF SACRAMENTO

Equality California | eqca.org

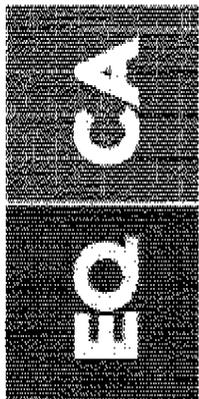
LGBT Blend Rank

- 90-96th Percentile
- 95-99th Percentile
- 99th Percentile
- Other

Field	Value
Population	465,606
pop_domesticpartner	3,174
Prop 8 No	56%
Yes on Prop 8	43%
Prop 22 No	46%
Yes on Prop 22	52%
Prop 8 Donors	921
Prop 22 donors	82
LGBT Organizations	6,787
Misc_SSHN	1,807
Women_SSHN	908
POBSLQ_Count	6,962



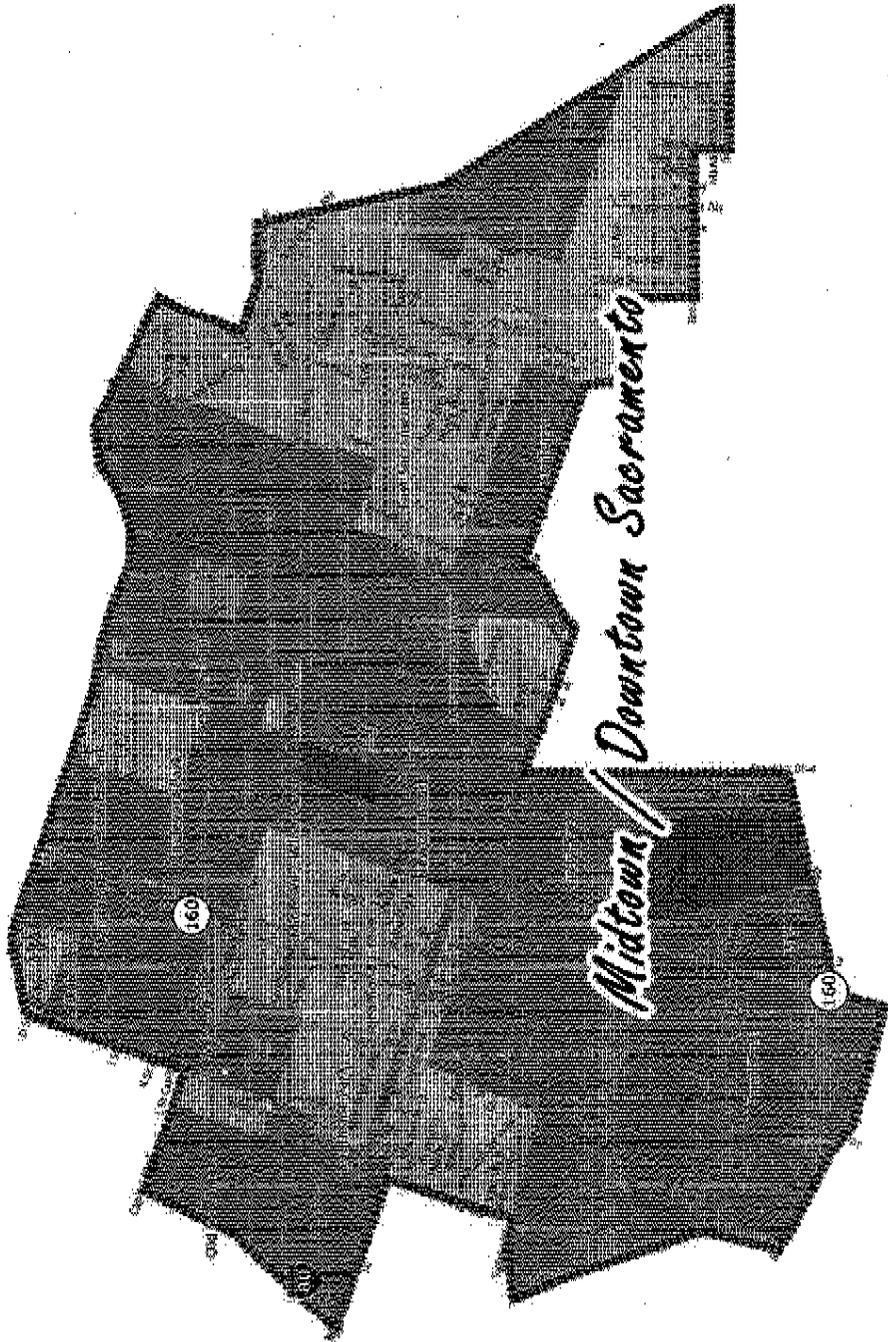
REDISTRICTING
 PARTNERS



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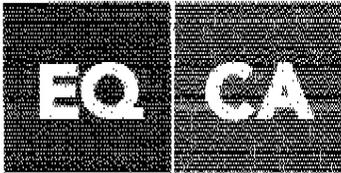
LGBT Community of Interest Map MIDTOWN / DOWNTOWN SACRAMENTO

LGBT Blend Rank
 90-95th Percentile
 85-89th Percentile
 99th Percentile
 Other



Field	Value
Population	68,872
pdI_domesticpartner	1,273
No on Prop 8	74%
Yes on Prop 8	26%
No on Prop 22	67%
Yes on Prop 22	33%
Prop 8 Donors	427
Prop 22 Donors	43
LGBT Organizations	3,882
\$QHH_Count	630
Men_SSHH	417
Women_SSHH	233
POSSLQ_Count	1,413

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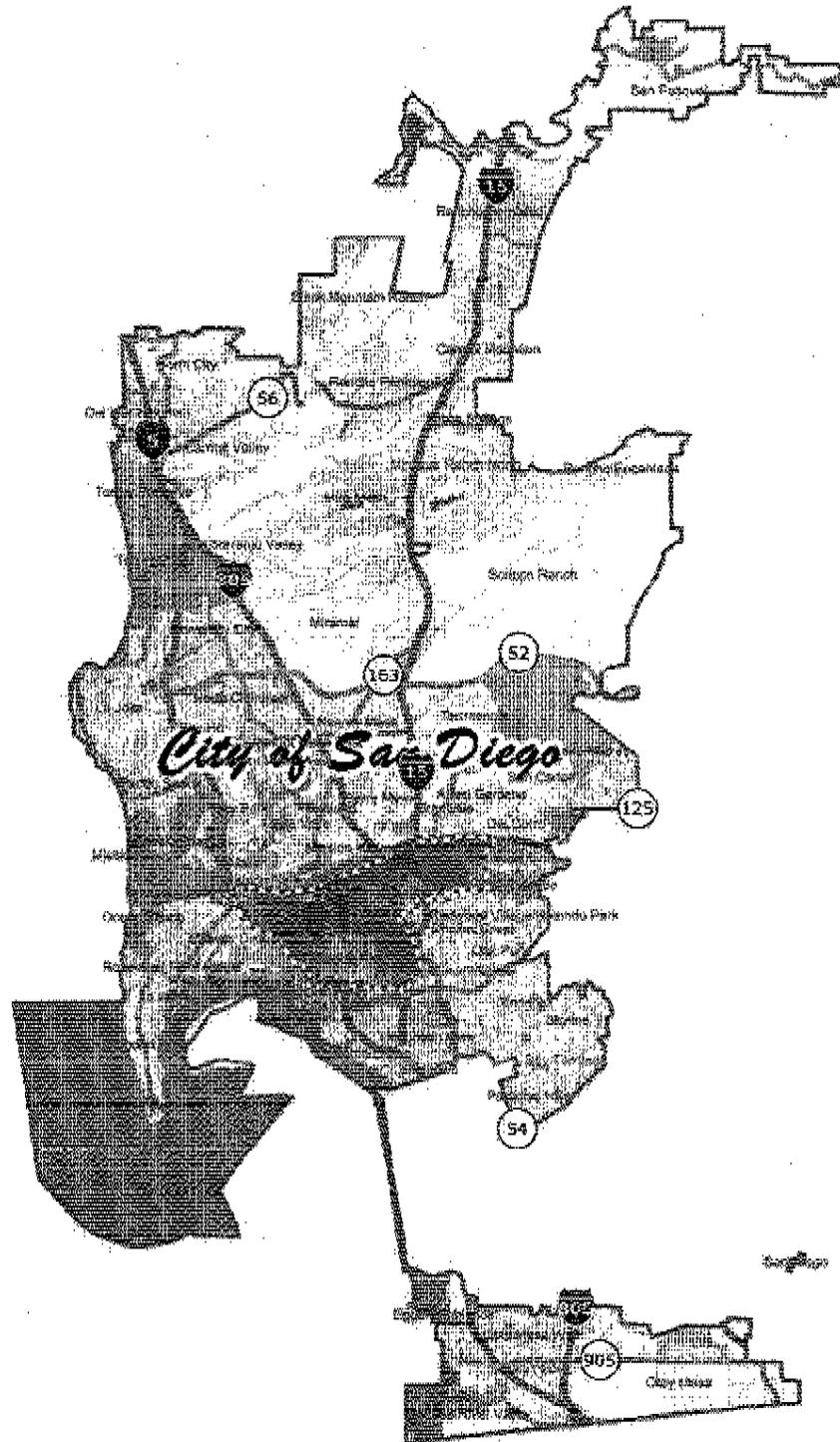
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LGBT Community of Interest Map CITY OF SAN DIEGO

LGBT Blend Rank

-  90-95th Percentile
-  95-99th Percentile
-  99th Percentile
-  Other

Field	Value
Population	1,360,815
pop_domesticpartner	6,668
Prop 8 No	53%
Yes on Prop 8	47%
Prop 22 No	45%
Yes on Prop 22	55%
Prop 8 Donors	2,283
Prop 22 donors	319
LGBT Organizations	27,331
Men_SBNH	3,175
Women_SBNH	2,312
POSSLO_Count	14,662



 **REDISTRICTING**
 **PARTNERS**

For more on these maps: Equality California ::



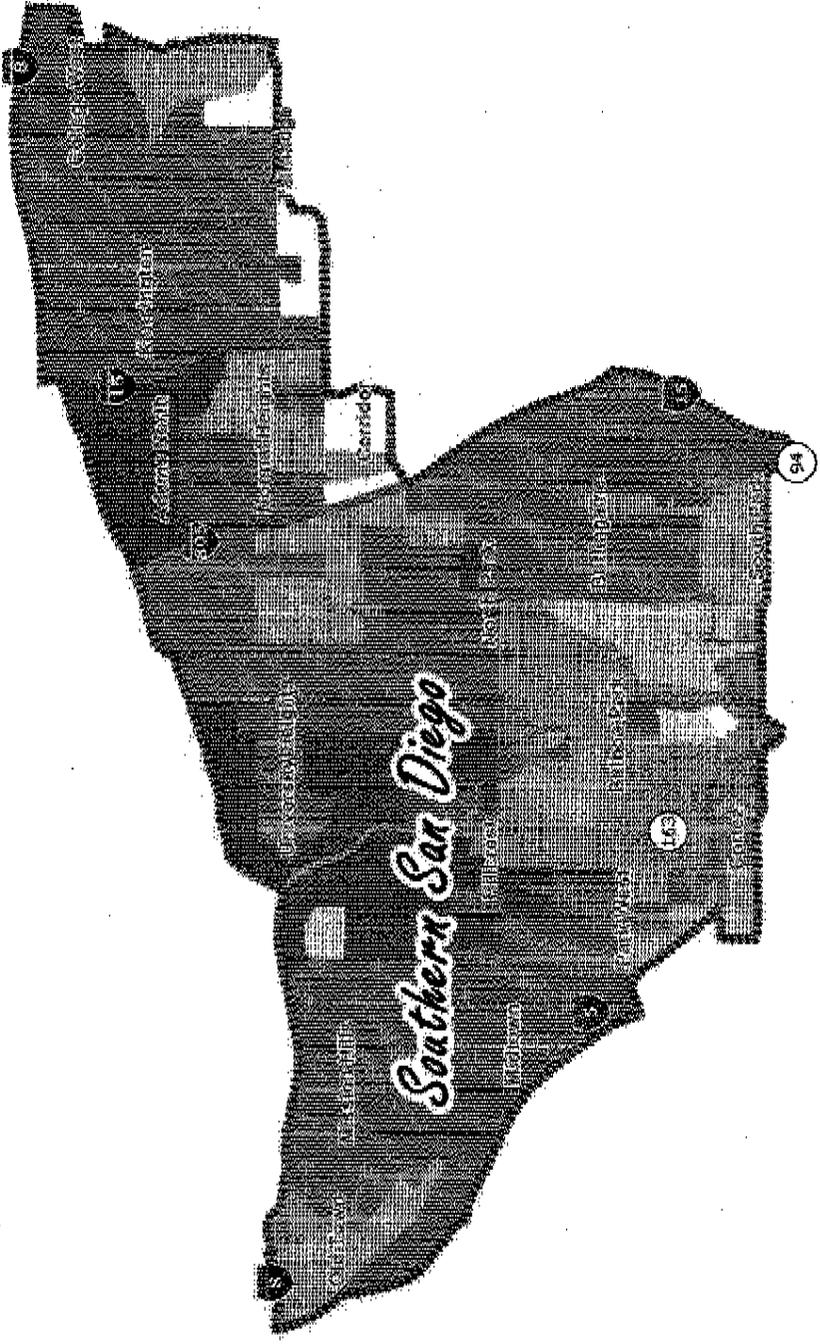
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LGBT Community of Interest Map SOUTHERN SAN DIEGO

LGBT Blend Rank

- 90-95th Percentile
- 85-99th Percentile
- 99th Percentile
- Other

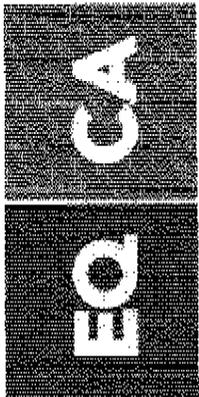
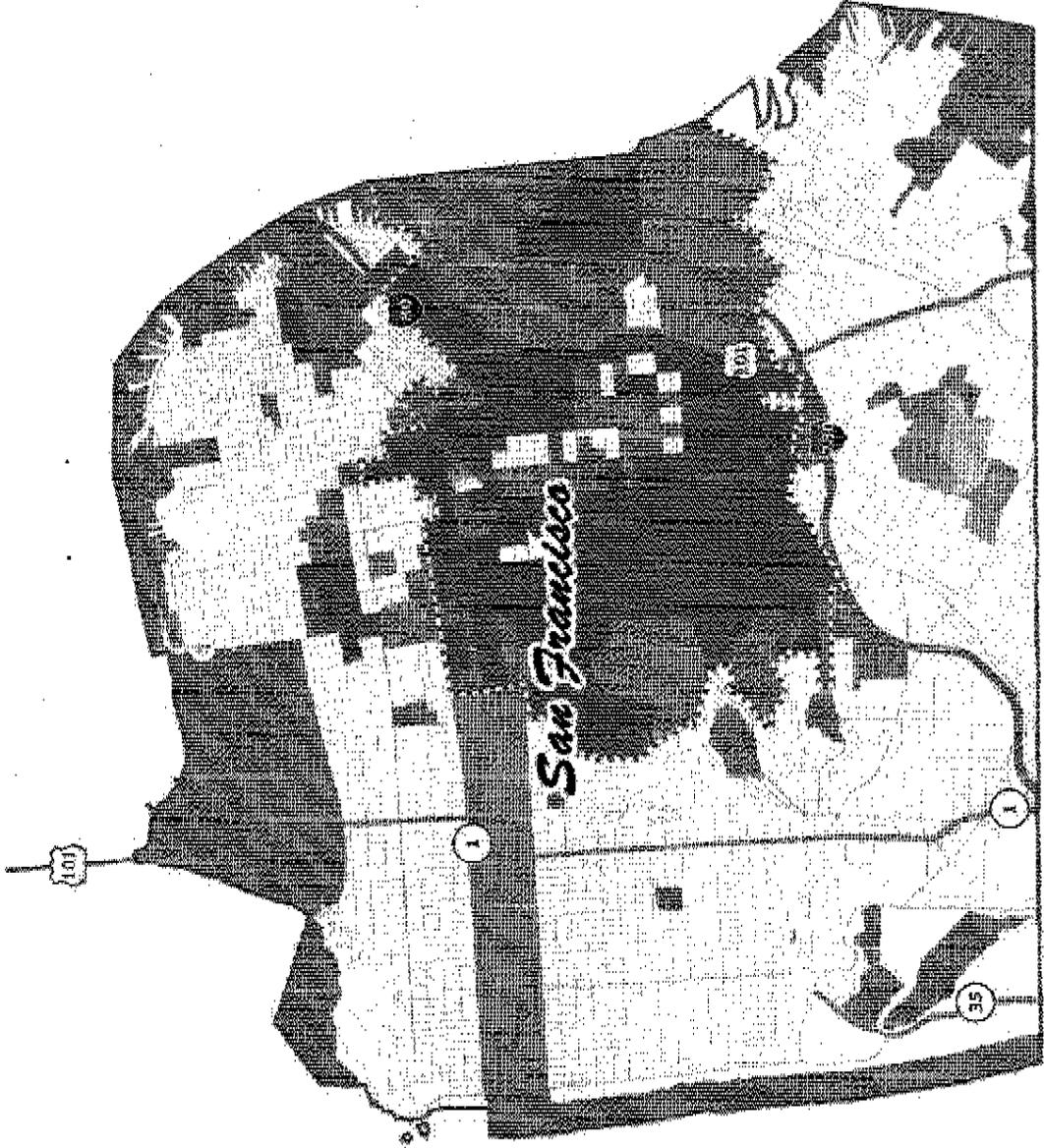
Field	Value
Population	430,879
pop_domesticpartner	2,697
No on Prop 8	74%
Yes on Prop 8	26%
No on Prop 22	65%
Yes on Prop 22	34%
Prop 8 Donors	1,111
Prop 22 donors	178
LGBT Organizations	10,886
SSHH Count	2,273
Men_SSHH	1,263
Women_SSHH	691
POSSLQ_Count	4,793



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For more on these maps: Equality California :

LGBT Community of Interest Map CITY OF SAN FRANCISCO



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LGBT COI Rank
 98th Percentile
 89th Percentile
 Other

Field	Value
Population	802,355
pop_decrease/capyear	9,888
Prop 8 No	75%
Yes on Prop 8	25%
Prop 22 No	98%
Yes on Prop 22	2%
Prop 8 Donors	9,332
Prop 22 Donors	1,358
LGBT Organizations	50,230
Men_SSHH	5,326
Women_SSHH	1,892
POSSLQ_Count	18,911

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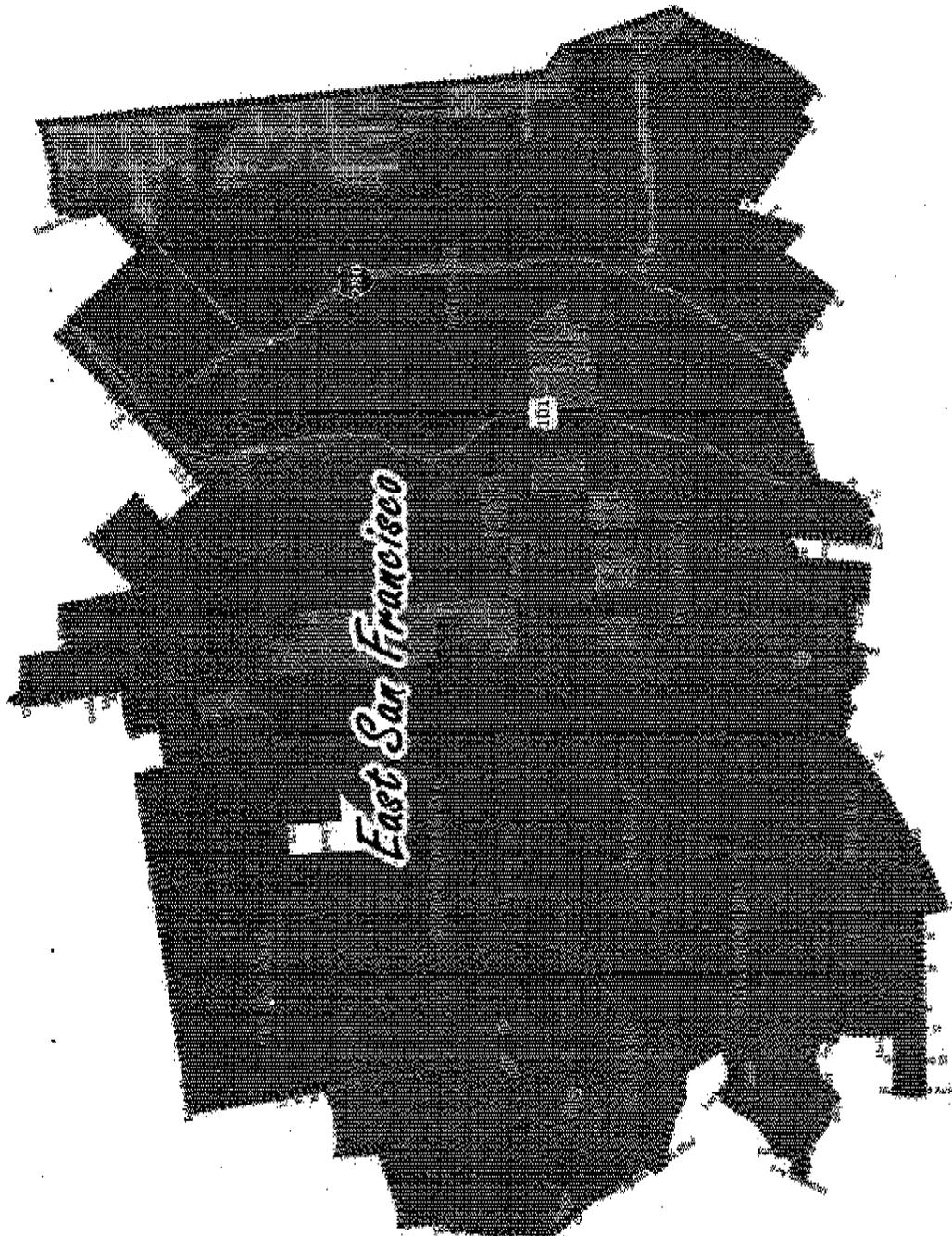
For more on these maps: Equality California ::

LGBT Community of Interest Map EASTERN SAN FRANCISCO



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LGBT Blend Rank
 90-94th Percentile
 95-97th Percentile
 98-99th Percentile
 Other

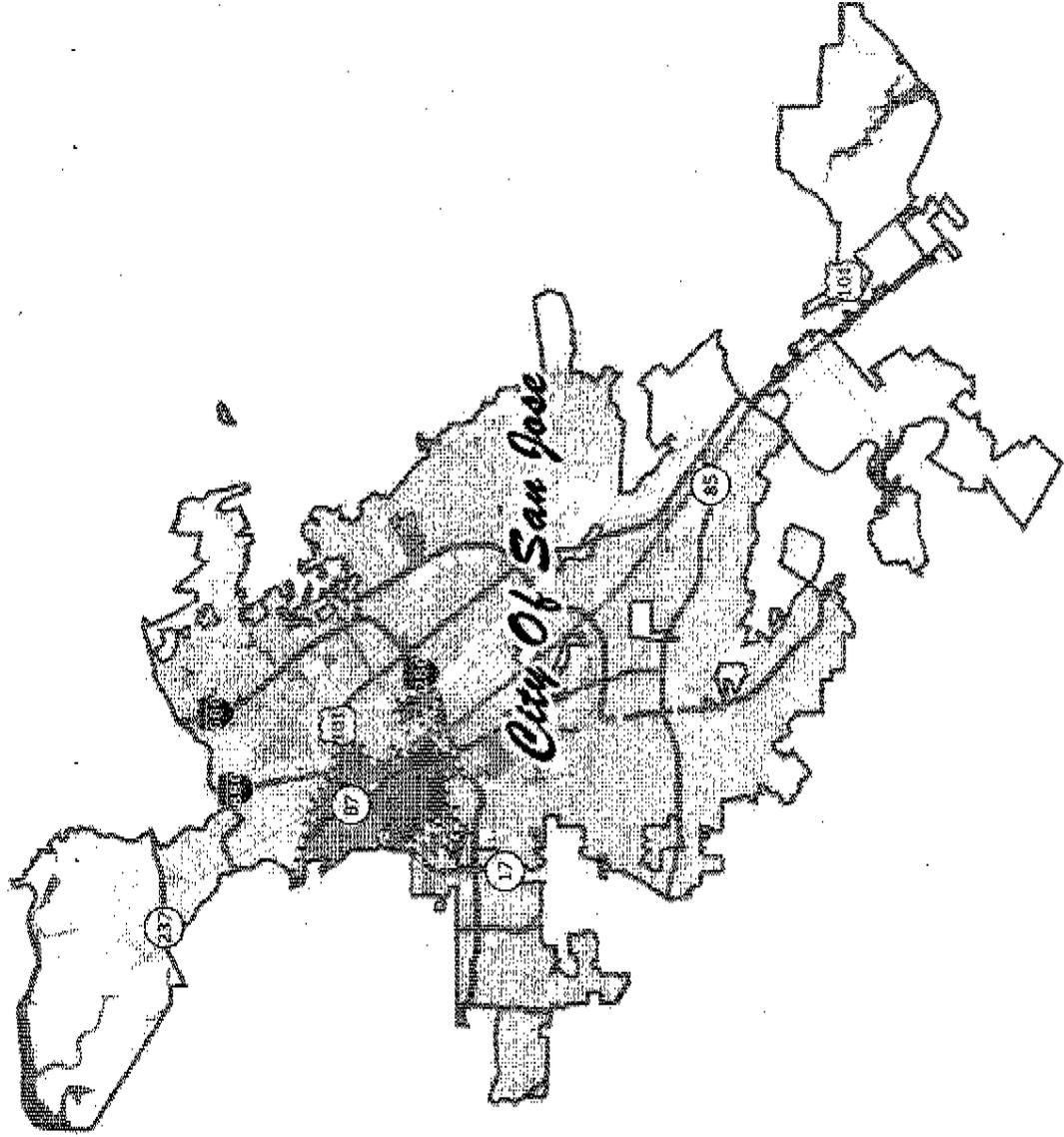


Field	Value
Population	215,475
pop_domesticpartner	8,655
No on Prop 8	88%
Yes on Prop 8	12%
No on Prop 22	82%
Yes on Prop 22	18%
Prop 8 Donors	8,846
Prop 22 Donors	897
LGBT Organizations	28,048
SSHH Count	4,178
Men_SSHH	3,650
Women_SSHH	1,128
POSSLQ_Count	16,154

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For more on these maps: Equality California ::

LGBT Community of Interest Map CITY OF SAN JOSE



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LGBT Blend Rank

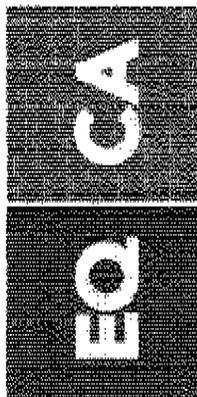
- 90-94th Percentile
- 95-97th Percentile
- 98-99th Percentile
- Other

Field	Value
Population	945,942
pop_domesticpartner	1,978
Prop 8 No	52%
Yes on Prop 8	48%
Prop 22 No	44%
Yes on Prop 22	56%
Prop 8 Donors	978
Prop 22 Donors	127
LGBT Organizations	7,469
Men_SSHH	352
Women_SSHH	749
POSSLQ_Count	4,977

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For more on these maps: Equality California ::

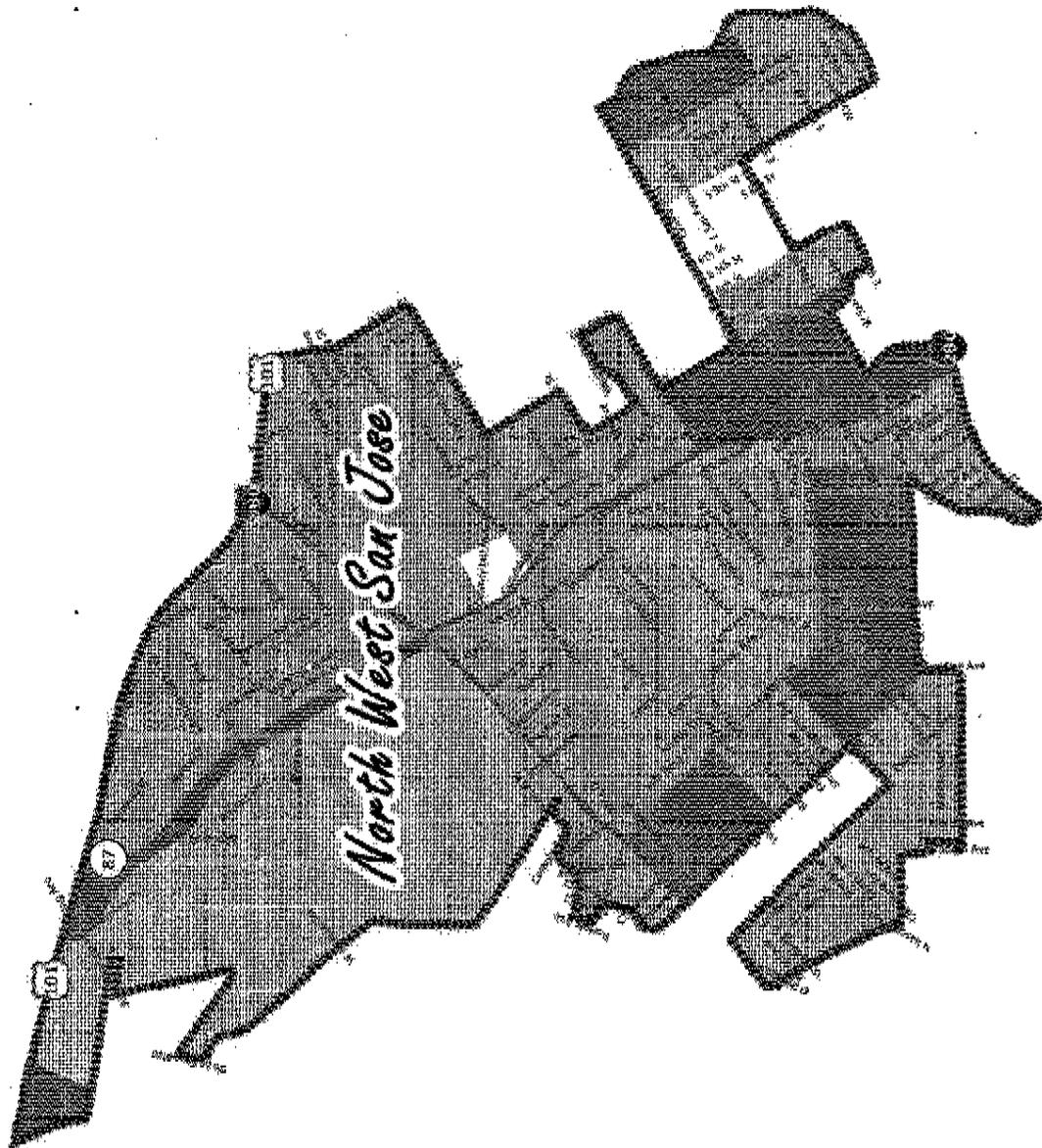
LGBT Community of Interest Map NORTH WEST SAN JOSE



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LGBT Blend Rank

- 90-94th Percentile
- 85-97th Percentile
- 88-99th Percentile
- Other



Field	Value
Population	39,287
pop_domesticpartner	362
No on Prop 8	71%
Yes on Prop 8	29%
No on Prop 22	63%
Yes on Prop 22	37%
Prop 8 Donors	148
Prop 22 donors	23
LGBT Organizations	993
SSHH Count	208
Men_SSHH	155
Women_SSHH	55
POSSLQ_Count	505

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