

From: **Tony Quinn** [REDACTED]

Date: Fri, Apr 22, 2011 at 9:45 AM

Subject: Section 5

[REDACTED]

My Dear Commissioners and Staff:

I am remiss in that my letter of 18 April suggested that you needed to look carefully at the composition of the Section 5 districts, but I did not provide you any numbers to help you do so, so here goes.

First, I hope that your staff has, or will, brief you on why these Section 5 counties got that way. It had nothing to do with minority voting population; they were all counties with large military bases at the time of the Vietnam War. In 1968, when the Section 5 counties were established; they were included because of low voting population. As a consequence, with the exception of Monterey County, they do not make a lot of sense in terms of drawing minority districts; several adjoining counties would have made more sense. But that is the law, so you must abide by it.

Here is how best to deal with Monterey County. In a second message, I will deal with Merced and Kings Counties.

With Monterey County you face a difficult choice, and I hope you and your staff will ask for detailed testimony when you are in Monterey. The question is what to do with current Senate District 12 which impacts two Section 5 counties. This is the district that runs from Salinas to Merced, and you heard in Merced that people do not want to be connected with the coast. This district was gerrymandered for the benefit of Assemblyman Dennis Cardoza of Merced, who did not run there. He ran for Congress

instead and is still in Congress today.

The Salinas part of the district is very heavily Latino; the Central Valley portions much less so. The current district is 59 percent Latino, and that has to be the population marker for both Merced and Monterey Counties. However, the district has never elected a Latino; in fact, it has never elected a Democrat. That is because the Central Valley portion outvotes Salinas, leaving the Salinas portion something of an orphan. This is exactly why you must not create districts that combine far distant centers of population, because the majority portion will outvote the minority portion. That is what happened in 2010; a Latina from Salinas was nominated but lost the general election to a Central Valley candidate.

But if you place Salinas into a coastal district, you can actually create an almost certain Latino Senate District consisting of Monterey County, Watsonville, southern Santa Clara County, and east San Jose. One of my friends in the Latino activist community (you may be surprised but I actually have friends in the Latino activist community) has run the numbers and says they work very well. Look at current Assembly Districts 23 and 28; that would be your new Senate district. Both these ADs have Latino incumbents and Latinos have won election in this area for quite some time. Immediately to the north of this district you can form a Senate district that unites Asian communities of Berryessa, Milpitas and Fremont.

You will need to give this new district an odd number, probably SD 13 which covers much of San Jose now. I assume your staff has briefed you on the problems of Senate disenfranchisement brought about by the odd and even election cycles. This is a tricky business and you will need to get it right or you will disenfranchise millions of people and surely be sued.

Forming the districts in this matter also resolves your Central Coast difficulties. There is no question that Monterey County cannot be combined with San Luis Obispo County; that would be a clear Section 5 violation. San Luis Obispo County also cannot wander off to Kern County. In Bakersfield you received testimony about keeping the farm worker communities in western Kern County together. I believe this is required in order to satisfy the Section 5 requirements for Kings County. That population is not available for San Luis Obispo County. Additionally, crossing the coastal mountains would violate state criteria.

So this county must move south along with coast. The Assembly District will combine with northern Santa Barbara County, an area with a natural affinity to southern San Luis Obispo County. You will need 196,037 people from Santa Barbara County for this AD. The next one down the coast will be 227,858 people in Santa Barbara County and 237,816 people in Ventura County. This should encompass the northern parts of Ventura County, and that will then form one of the two Central Coastal Senate Districts, which will need an odd number. Next you would create an all Ventura AD including the

city of Oxnard (197,899 people) as you were encouraged to do at your public hearing. The next AD would include 119,828 people from Ventura County, probably Simi Valley, and 345,846 people from Los Angeles County. You should press in your Los Angeles public hearings how best to do this. These two ADs will then form the second Central Coast SD, and it will need an odd number also.

By following this schematic, you will form constitutional districts, meet the requirements of Section 5 and likely assure the election of an additional Latino the State Senator.

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