

Region # 1 San Diego
Region

Silvia Peters
[REDACTED]

Citizens Redistricting Commission
1130 K. Street, Suite 101
Sacramento, CA 95814
Fax: (916) 322-0904

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Re: Citizens Redistricting Commission held at CSUSM on May 13, 2011

I was in attendance last night at CSUSM meeting held at 6:00 p.m. my understanding based on newspaper articles was that various meetings were held at different locations in the county.¹ I assume it was a public meeting within the confinements of the California Ralph Brown Act open to the public with the intent to seek public comments and public input.

As a citizen, voter, taxpayer and consumer of the state of California and a member of the North County community I was hoping that the commission would have an interest in the diverse views of the residents of North County. I did not get that impression, the impression that I gathered it that the community was interested in "Poway" and the Asian community. Due to the fact that the members of the community were interested in input from Poway; asked Asian residents for maps, cultural, academic and elitism opinion.

Frankly, I was offended appalled by the elitism from the Asian community of Poway and the interest the members of the Citizens Redistricting Commission "CRC" had in this Gerrymandering request.²

The Poway Asian community believed that since they presumably had a certain social economic class distinction, religious beliefs and the desire to segregate themselves. Their request should be held at a higher standards. Members of the CRC asked them questions about their

¹ CSUSM on Friday May 3, 2011 and San Diego Community College Educational Cultural on Saturday May 14, 2011.

² By setting electoral districts, rather than using uniform geographic standards, **Gerrymandering** is a practice of political corruption that attempts to establish a political advantage for a particular party or group by manipulating geographic boundaries to create partisan, incumbent-protected, and neutral districts.

community, and to provide their choice maps to the CRC members. My observations were that the CRC members did not quite have an interest in the North County per se, rather in protecting certain class distinctions in the North County.

These elite speakers copied the example speech provided by page 8 of the packet handout given at the front door of the meeting room by CRC members. I believe this example contradicts the views of most North County *native* residents of Encinitas, Carlsbad and Oceanside.

I also believe the printing of this pamphlet is flawed and misleading on page 6 first paragraph of the pamphlet it quotes "Section 2 (d) (4) or Article XXI of the California Constitution."

"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."

Omitting the begging part of the paragraph

(4) The geographic integrity of any city, county, city and county, local neighborhood, or local community of interest shall be respected in a manner that minimizes their division to the extent possible **without violating the requirements of any of the preceding subdivisions.**

What are the requirement of the subdivision?

CALIFORNIA CONSTITUTION

ARTICLE 21 REDISTRICTING OF SENATE, ASSEMBLY, CONGRESSIONAL AND BOARD OF EQUALIZATION DISTRICTS

SEC. 2.

(b) The commission shall: (1) conduct an open and transparent process enabling full public consideration of and comment on the drawing of district lines; (2) draw district lines according to the redistricting criteria specified in this article; and (3) conduct themselves with integrity and fairness.

(d) The commission shall establish single-member districts for the Senate, Assembly, Congress, and State Board of Equalization pursuant to a mapping process using the following **criteria as set forth in the following order of priority:**

(1) Districts shall comply with the United States Constitution. Congressional districts shall achieve **population equality** as nearly as is practicable, and Senatorial, Assembly, and State Board of Equalization districts shall have reasonably **equal population** with other districts for the same office, except where deviation is required to comply with the federal Voting Rights Act or allowable by law.

(2) Districts shall comply with the federal Voting Rights Act (42 U.S.C. Sec. 1971 and following).

(3) Districts shall be **geographically contiguous**.

I do not believe I was the only member in the audience who took note that the incomplete paragraph quoted on page 6 or the CRC packet gave priority to the last precedence written within the California Constitution Article 21 of the Redistricting of Senate, Assembly, Congressional and Board of Equalization Districts. In fact the North County speakers like former member of the North County Chapter of the NAACP stated plain and simple the elite speakers were asking for *Gerrymandering*.³

I will go even further to state that the content of the packet as it was presented was encouraging *Gerrymandering* and the close attention given to the elite member speakers was self evident. Within the North County members of the public who were present at the May 13

³ Section 2 of the Voting Rights Act of 1965 prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in one of the language minority groups identified in Section 4 (f) (2) of the Act.

In 1980, the Supreme Court held that the section, as originally enacted by Congress in 1964, was a restatement of the protections afforded by the 15th amendment. *Mobile v. Bolden*, 446 U.S. 55 (1980). S.Rep. No. 97-417, 97th Cong., 2d Sess. (1982), pages 28-29.

In its first review of a case brought under the 1982 amendment, the Supreme Court explained that the "essence of a Section 2 claim is that a certain electoral law, practice, or structure interacts with social and historical conditions to cause an inequality in the opportunities enjoyed by black and white voters to elect their preferred representatives." *Thornburg v. Gingles*, 478 U.S. 30, 47 (1986). See also, *Johnson v. DeGrandy*, 512 U.S. 997 (1994).

The statute continues to prohibit state and local officials from adopting or maintaining voting laws or procedures that purposefully discriminate on the basis of race, color, or membership in a language minority group. *Village of Arlington Heights v. Metropolitan Hous. Dev. Corp.*, 429 U.S. 252, 264-68 (1977), that the challenged practice was adopted, at least in part, because it would harm minority voting strength, and not merely with an expectation that it would do so. See, e.g., *Personnel Adm'r of Massachusetts v. Fenney*, 442 U.S. 256, 279 (1979).

2011 meeting were former Presidents and members of the NAACP North County Chapter as well as Latino leaders and advocates of Escondido, Vista and Oceanside.

With this in mind I will tell you about my city of Oceanside and the North County communities of Vista, San Marcos and Escondido. These communities have a large percentage of Latino populations. However Carlsbad, Encinitas also have a diverse Latino population but not as large. Every community is different and just because Oceanside, Vista, San Marcos and Escondido have a large Latino population does not mean that these communities are the same and share the same political, cultural and social views.

Some of the CRC members asked if Oceanside residents consider themselves a coastal or a inland community. Or if Oceanside could be split in two parts?

Here is the answer Oceanside [ocean] is a coastal community it has its own large harbor, beaches, Transit district, Coaster, and Amtrak stations; library [not county library] its rich in racial diversity, culture and social economic balance. We have an active African American, Samoan, Latino and military population, Gay Lesbian groups. Cinco de Mayo, Dia de los Muertos, Martin Luther King Celebration, Samoan Cultural Celebrations, Independence Day Parades, Gay Pride Parades, Art and Music festivals, farmer markets, surfers club and surfers contests, Harbor Days, Days of Art fair, bike ride expos, Rail Road Society, Surf Museum, theatres. We enjoy reading, socializing, beach gatherings, are intelligent and we too love our children and care about our children's education.

Oceanside City Council is racially and politically balanced and so is the Oceanside School board. We had an African American Mayor in the past and African American members in the School board as well as Latino City Council Members and School Board Members. Unlike Vista and Escondido, Oceanside not have racial tensions and riots.

Oceanside is a city that encourages racial, economic, religious, sexual orientation diversity and respects the views of others. It is not a perfect city but we are not afraid of color, social economic differences, different religious and political views.

The views and values are similar to Encinitas and Cardiff By The Sea, as a native Californian. My grandparents immigrated from Mexico and our families have lived in the coastal communities of Cardiff, Encinitas and Oceanside for over one hundred years. The cultural and diverse views of Oceanside residents are similar to the coastal communities *native* views. For the exception of the newly immigrants that have settled **Inland areas** like La Costa, Rancho Santa Fe, Black Mountain Ranch, Fairbanks Ranch, Poway, Rancho Bernardo etc. and have created their own little segregated elite communities with different values than native Californians.

The cities of Vista and Escondido are cities that have a heavy Latino population but lack diversity in City Council Membership as well as School Board Members. With over seventy percent of Latino Population the Vista School Board has never elected a Latino School Board Member.

Both the city of Vista and Escondido do not have the same clubs as Oceanside, or social events, or embrace racial diversity. Vista and Escondido contract with the San Diego Sheriffs for police services. Oceanside has its own police department. Vista and Escondido are void of social events have too many social problems, riots, demonstrations.

Vista and Escondido have an abundant of churches (hundreds), very conservative views, lack political diversity and tolerance.

The only thing Oceanside shares with Vista is the school boundaries and this is a very sore subject. The school board boundaries are outdated and need to be revised.

Please do not assume that all Latinos or African Americans look the same, are the same or share that same priorities and views and should be bunched together. To give comfort to those who consider themselves superior and elite.⁴

If you have any questions and need further clarification please don't hesitate to contact me.

Silvia Peters
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⁴ Like the San Diego speaker said, "the Asian community loves our grants that we give them." I may add they love the roads, schools, colleges and services our tax dollars pay for. I would like to see them give something back to the communities rather than take from the communities and cream our resources and educational grants. We the middle class pay for the bulk of the taxes that the rich people refuse to pay their fair share. We have no tax shelter and we are the workforce, backbone, creativity and talent and life of this nation.