



May 26, 2011

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

Via Facsimile

The Pass Area consisting of the Cities of Banning, Beaumont and Calimesa and the County areas of Cabazon and the Morongo Band of Mission Indians are geographically connected and in close proximity to one another. The Cities of Banning, Beaumont and Calimesa and the County areas of Cabazon and the Morongo Band of Mission Indians are looking at the possibility of regional sharing of services. The Cities of Banning, Beaumont and Calimesa currently share Animal Control Services.

The Cities of Banning, Beaumont and Calimesa and the County areas of Cabazon and the Morongo Band of Mission Indians share borders and meet regularly and share common interests in the Pass both politically and geographically and have a desire to remain in the same district to assure continued cohesiveness within these geographic areas.

The 2010 Census population will require redistricting within the State of California for the State Senate, Assembly and U.S. Congressional Districts.

The Cities of Banning, Beaumont and Calimesa and the County areas of Cabazon and the Morongo Band of Mission Indians have a desire to remain with their current State Assembly and State Senate Districts.

Respectfully,

Supervisor Marion Ashley
Riverside County 5th District

Barbara Hanna, Mayor
City of Banning

Brian De Forge, Mayor
City of Beaumont

Ella Zanowic, Mayor
City of Calimesa

cc: Senator Bill Emerson, California State Senate, 37th District
[Redacted]
Sacramento, CA 94248-0001

Assemblyman Paul J. Cook, California State Assembly, 65th District
[Redacted]
Sacramento, CA 95814

Region: 2 Riverside

Walker S. Clute

Calimesa, CA 92320

JUN 07 2011

for: the members of
the C.C.R.C.
from: Walker S. Clute
cartographer

In Palm Springs, I attended the Public Input Hearing. I delineated the county of Riverside, extending from the Colorado River across California, with its western end being only nine miles from the beach cities along the Pacific Ocean. About 45 miles northeast of there is our little town of Calimesa.

I pointed out that with the contiguous Yucaipa, we formed virtually one town; that the local newspaper is titled the Yucaipa-Calimesa News-Mirror.

Some Commissioners saw Yucaipa-Calimesa-Redlands as being bedroom-cities, with stable families, along with the retired folks. Redlands and Yucaipa lie in San Bernardino County.

One inquired if Redlands were a close neighbor. I assured them that it also is co-terminous, and is only ten minutes from our entrepreneurial downtown.

Another query was if Beaumont and Banning considered Calimesa to be a separate neighbor.

I cited the efforts of the Calimesa Council, and our civic group, to try to obtain some bus service to and from there, only to see an average of 3 passengers per trip.

[Apparently, there were not any speakers from Beaumont and Banning.]

Other speakers, familiar with the ten cities of the Coachella Valley, said the folks in B - B were similar in their concerns to those of Desert Hot Springs, Morongo Valley, Yucca Valley, and towns to the north in San Bernardino County, and in the High Desert area.

Some others considered Beaumont and Banning to be part of the Coachella and Palm Springs group -- that is known for tourists and better homes -- a version of Beverly Hills.

The Commission is exploring how the Coachella Valley compares with the Imperial County's agricultural economy, and whether both could be in some future district.

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Here are some interesting discoveries about the San Bernardino, Riverside, and Imperial Counties, with their commonality of concerns:

- a. population flow
- b. economics
- c. earthquakes

Population currents:

The Commission takes into account the directions of the movement of taxpayers in response to economic conditions.

Population movement and changes bring to politicians fluctuation, political flow, and transition.

People have stopped moving from the coastal regions into San Bernardino and Riverside Counties. Though the more well-educated workers are coming to the I.E.

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Economics:

Last year, the Inland Empire lost 82,000 jobs.

Since 2004, we've lost 1.2 million jobs.

Office buildings are 25% empty !

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Economic Disruptions in Riverside County:

Although unemployment is stated to be 16%, the actual number of people who are "out-of-work" is 20% to 22%.

In Moreno Valley's older north neighborhoods, the number of small, vacated homes is nearly 40%. Most have been vandalized.

Whereas, in Beaumont's new subdivisions, many attractive homes are empty. There are no customers.

Earthquakes

The proximity of earthquake faults inhibits the development of an area, and reduces any future interest in infrastructure.

Moreover, a sector such as Imperial County, which experiences very frequent small shocks, "one each month", can be expected to lose population.

The Legislature saw to it that the public was informed of areas near faults, and other hazards. The Alquist-Priolo Act provides that the State Geologist issue maps of a wide swath of zones near active faults, as well as floods, landslides, or other hazards.

These maps can form an overlay to the Planning Maps, so as to recognize this strangulation of communities.

For example, a prominent active fault is the San Jacinto Fault, which goes from mid-city of San Bernardino, southerly through Moreno Valley and along the west side of the San Jacinto-Santa Rosa Range.

Within Southern California, the San Andreas Fault can be traced southeasterly through Wrightwood, the Cjon Pass, San Bernardino, easterly through Highland, then southeasterly through San Gorgonio, Desert Hot Springs, and along the east shore of the Salton Sea, into Imperial County.

There, it branches out and becomes many minor faults. These, however, are active faults, with frequent slips. Occasionally, from Mexico, comes a severe jolt.

Although the San Andreas Fault, through this section of the Inland Empire, has been quiescent for many centuries, Federal and State geologists have the area under constant study and measurement.

The ancient past shows evidence of a major quake at intervals of five to six centuries. The sixth is almost finished. Hence, the best prediction is that a catastrophic quake will occur here "within the next thirty years".

Yup, it could be next week.

That is why we are being inundated by the media alerting the public about emergency preparedness, with details of the destruction of transport, water utilities, homes, factories, etc. -- which would take more than 3 years to rebuild.

This precludes most economic improvement within such areas. So voters will move away, slowly -- seeking homes elsewhere.

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Reapportionment is for Congressmen;

Redistricting is for California Legislators.

One Congressional district stretches from Santa Clarita and Antelope Valley, then eastward to the Nevada line and northwest to Mono County. Why? Because it is dependent.

Up in Inyo County, retailers unite to send trucks all the way to Los Angeles in the early morning. They bring back:

clothing
groceries
furniture
auto hardware

Yes, the town of Independence is dependent.

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In the future, more district lines will be following not only city lines, but mountain crests, the middle of deserts, and lakes.

Walker S. Clute

retired economist
engineering geologist
business owner
author of philosophy
and science

It's a thickie to be avoided

By JAMES J. KILPATRICK

The political game in Michigan this year has a kind of barnroom quality. It offers politics on the rocks — no water, no soda, no olives and no umbrella on top. The game is as old as Elbridge Gerry. The question is, is it constitutional?

As every schoolboy knows, Gerry was a statesman of the revolutionary era. He was among the signers of the Declaration of Independence; he was Madison's second vice president; and more to the point, right after the census of 1810 he was serving as governor of Massachusetts. In that capacity he signed a bill creating a new congressional district. To a cartoonist's eye, the convoluted boundaries resembled a salamander. It wasn't Gerry's bill, but he was stuck with it. A critic said the district wasn't a salamander, it was a gerrymander. Gerry died in 1814, but the eponymous device lives on.

The census of 2000 cost Michigan one of its 16 seats in the House of Representatives. At the time the official population figures arrived in 2001, Republicans narrowly controlled both houses of the state legislature as well as the governorship. In the holy name of Elbridge Gerry, they set to work. When they were done, at 2:35 o'clock of a September morn, they had cobbled together seven districts that promised to be rock-solid Republican and three districts that were very likely Republican — a 10-5 delegation in a state that is roughly half Democratic.

Naturally the Democrats sued. They complained that the new district lines were so biased in favor of Republicans that they amounted to a "partisan gerrymander." The discrimination was



intentional. Six Democratic representatives had been squashed into three districts, compelling them to retire or engage in fratricidal combat. Seven Republican incumbents were given their safe seats. The will of the people would be frustrated for 10 years. Democrats had been denied equal protection of the law. They sought an injunction to prevent the nefarious scheme from taking effect.

A panel of three judges in U.S. District Court refused to grant the Democrats' motion. The panel relied instead upon its view of the controlling precedent, *Davis v. Bandemer*, decided in 1986. The case involved redistricting in Indiana.

There were two questions in *Bandemer*. Is political gerrymandering a justiciable issue? (The court, 6-3, said yes, it is.) Were the newly drawn state legislative districts a denial of equal protection? (Voting 7-2, the court said no.) Justice Byron White wrote a plurality opinion joined by Justices Brennan, Marshall and Blackmun. Not satisfied, Justices Powell and Stevens voted yes on both questions. Not to be left out, Justice O'Connor, Justice Rehnquist and Chief Justice Burger thought that gerrymandering is none of the high court's business.

The splintered opinion in *Bandemer* rested upon a contentious foundation dating from an

Illinois case in 1946. A lower court ruled that the state's statutes apportioning congressional districts were unconstitutional. Justice Felix Frankfurter objected. "To sustain this action would cut very deep into the very being of Congress. Courts ought not to enter this political thicket."

This may have been sound advice, but it was soon swept away. Within a few years the Supreme Court was deeply into a briar patch of voting rights, reapportionment, redistricting, and one-man, one-vote. The pending case from Michigan offers an opportunity to revisit *Bandemer*. Assuming that Democrats have been stiffed, how badly have they been stiffed? Have they been effectively excluded from the political process? Have they no chance of ousting the triumphant Republicans? Are they doomed to a decade in outer darkness?

My guess is that the Supreme Court will refuse to hear the Democrats' appeal. The case is far removed from the bad old days prior to 1950, when rural constituencies controlled many legislatures and city folk were out in the cold. Until poll taxes were forbidden by the 24th Amendment in 1964, blacks were shut out of the political process in much of the South. It was not unusual for decades to pass without change in congressional or state districts.

Things are more antiseptic now. Courts have vigorously enforced the Voting Rights Act of 1965. Minorities who once were ignored are now ardently wooed. The gerrymandering in Michigan that led to the pending case may be partisan mischief, but is it unconstitutional mischief? Not in my book. This lightly trimmed thicket is a thicket to avoid.