

Subject: RPNA letter to CCRC

From: Phillip Pluckebaum <[REDACTED]>

Date: Wed, 29 Jun 2011 08:06:52 -0700

To: <[REDACTED]>

CC: "Andrea Schroeder-biele" <[REDACTED]> "Barbara Debert"

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Parkins" <[REDACTED]> "Steve Harriman" <[REDACTED]>

"Steve Johns" <[REDACTED]>

Dear California Citizens Redistricting Commission,

Attached please find a soft copy of the letter that I hand delivered last night. Again thank you for your tremendous efforts in this difficult endeavor.

Sincerely,

Phil Pluckebaum
Vice President
River Park Neighborhood Association
[REDACTED]

RPNA letter to CCRC.pdf



June 25, 2011

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

Re: June 8th draft of Assembly and Senate legislative boundary lines

Dear Members of the California Citizens Redistricting Commission:

First, we would like to thank you all for volunteering for this important endeavor and thank you for your hard work. We appreciate and support the efforts of the California Citizens Redistricting Commission (CCRC) to draw sensible, balanced and impartial lines; however, we believe the Commission's June 8th first draft map erred in part of eastern Sacramento.

We are concerned about the separation of nearly 40,000 residents from the eastern portion of the City of Sacramento in both the first draft Assembly and Senate maps. Residents and businesses in the East Sacramento, Tahoe Park, Elmhurst, College Glen, Colonial Manor, Campus Commons, Sierra Oaks, River Park, and Power Inn neighborhoods would be divided from adjacent neighborhoods with historical ties and similar interests and issues. Splitting these neighboring communities and separating school boundaries, business activity, economic development, higher education opportunities, hospital synergy and general neighborhood connectivity seems completely contrary to the stated goal of the CCRC to link communities of interest. While we understand the difficult challenge you have before you, we believe that it is possible to draw a fair and balanced map that also keeps our community intact.

Again, we appreciate all your hard work and hope you will reconsider this portion of the draft map to find a solution that works for everyone. Thank you for your consideration and please do not hesitate to contact us to discuss this further.

Sincerely,

River Park Neighborhood Association

Steve Harriman
RPNA Board President

Phil Pluckebaum
RPNA Board Vice President

**AFRICAN AMERICAN REDISTRICTING COLLABORATIVE (AARC)
TESTIMONY BEFORE THE CITIZENS REDISTRICTING COMMISSION
Sacramento Public Hearing
June 28, 2011**

The African American Redistricting Collaborative (AARC) is pleased to appear before the California's Citizens Redistricting Commission (CRC) in person one last time before the release of second and final drafts of Congressional, State Assembly, Senate and Board of Equalization district maps. We commend the Commission for its dedication and hard work thus far, but also recognize that there is still much work that remains to be done.

As you know, AARC has conducted and participated in several community education workshops in key areas of the state including South Los Angeles, Oakland, San Bernardino, San Francisco, Sacramento and San Diego. We have also worked in coalition with other groups committed to the full enforcement of the Voting Rights Act and to full and equal participation in this redistricting process. After months of dialogue with community members, monitoring CRC community input hearings and business meetings, and developing redistricting plans of our own, AARC's review of the June 10 draft maps and more recent June 22 visualizations reveals that these maps still do not reflect the community of interest testimony or legal analysis presented by AARC, nor does it echo the testimony from scores of community stakeholders from underrepresented groups who have testified both in person and in written form.

To reiterate the position we expressed in the initial report introducing our proposed maps: California has an obligation to preserve the existing district configurations in South LA, which have a longstanding pattern of effectuating African American political representation. In the first instance, these districts are consistent with governing federal law and, in some respects, may be required by federal law.

There are also important reasons that these districts should be preserved using a fair application of state law. The neighborhoods and community institutions in South LA form a network of significant communities of interest with longstanding recognition in local, state and federal contexts. These communities should have priority in any consideration of various communities of interest. Absent a prevailing concern to the contrary (and we have seen none in the record), dismantling this effective district configuration raises substantial legal problems.

We want to emphasize that the plan that emerges from the Commission should allocate political power in this area to fairly reflect the long-standing political, social, and economic connections that African Americans have had in this region and in this state more generally.

Legal Authority for our Proposals

There is ample legal authority for maintaining the districts in the manner that we illustrate in our plans. These include Section 2 of the Voting Rights Act and existing state law.

Our position is that Section 2 must be managed carefully in this area, since the context is markedly differently from the traditional settings in which the VRA provision has been applied. Typically, a Section 2 case is marked by a non-white group seeking an alternative district configuration that provides a better chance for the group to elect a candidate of choice. In *Thornburg v. Gingles*, for example, the Court was presented with a challenge to a multi-member district system that tended to limit the ability of African Americans to elect candidates they preferred. The ruling from *Gingles* identifies three specific elements for plaintiffs to make a prima facie showing of vote dilution:

- Numerosity: A geographically large, relatively compact population of voters
- Cohesiveness: A group of voters who share relevant core interests and tend to work and vote together as a group in political settings.
- Polarized Voting: A group whose preferred political candidates regularly lose election contests on account of racially polarized voting.

Typically, a single racial group asserts this legal claim. However, a few Section 2 lawsuits have succeeded when a pair of non-white groups asserting a right in combination. Several circuits have spoken about the viability of utilizing two groups as the basis of a single Section 2 claim, but none of these cases apply to the special context present in South LA. Unlike other electoral settings featuring divisions exist between white and non-white populations, South LA has an almost entirely non-white population. The preponderance of neighborhoods and census tracts in this part of LA County are African American and Latino. Together, these groups represent close to 90% of the total population in many parts of South LA. Accordingly, viable claims that coalition districts are required would have to rely upon the relationship between African American and Latino citizens.

In the case of African Americans, we also think that eliminating current districts that effectively elect candidates of choice creates legal harm under the Voting Rights Act. Where African Americans are grouped in a district far in excess of the number associated with their ability to elect a candidate, and contrary to their stated preferences, we think that a viable claim of “packing” (either under Section 2 or under the 14th Amendment) exists. We therefore would very strongly urge the Commission to avoid plans that would radically alter African American political opportunity in that manner.

State law also supports the plans we endorse today. Neither the statutory or constitutional changes established by Proposition 11, nor the Commission itself has developed any prevailing definition for what constitutes a community of interest for redistricting purposes. The Commission's lack of transparent and uniformly applied criteria to govern this concept poses a serious problem as a legal matter, since neither hearing testimony nor subsequent discussion have developed a practical understanding of how to operationalize the concept. As we stated in our earlier submission, however, any geographically proximate group of persons that can demonstrate a shared set of tangible, non-arbitrary interests – whether political, economic, cultural, social, or otherwise – should be counted a community of interest.

The practical difficulty with this basic conception, though, is that a careful advocate can develop an argument that justifies designating virtually any group of persons in California as a community of interest. Thus, the task of any line drawer will inevitably involve prioritizing and weighing various claims that competing groups may make for recognition in a district. We therefore encourage the Commission to consider at least two factors when determining the highest priorities in any definition of a community of interest.

First, certain types of communities are more relevant for the purposes of redistricting than others. For example, geographically proximate groups tied together by their organizational activity within the political sphere ought to be privileged because their connection is closely related to the Commission's task. The principal function of redistricting is to provide constituent groups in a district the chance to be heard in policymaking. In order to meet this goal, a line drawer needs to assess the extent to which a group views its common bonds as politically relevant and whether that view is substantiated as an objective matter.

All other things being equal, for example, surfers who may belong to the same social club and live on or near the coast should receive less priority than a neighborhood of citizens that organizes to support the cleanup of a local landfill. The latter is a community of interest because their concerns are expressed within the political sphere and their involvement would be evident from their likely participation in community meetings and lobbying decision-makers to achieve their preferred policy ends.

A second priority that can help sort multiple and competing communities of interest is whether a group has long-standing recognition in related spheres of governance. Proponents of Proposition 11 seem to have pursued a similar concept by imposing a nesting requirement and cautioning against separate distinct communities. The Commission should favor constructing districts that rely on pre-existing sub-units of political organization because they tend to promote rather than impede organized and deliberate public input.

To the extent that a neighborhood or area has already been deemed a politically salient unit within a jurisdiction, the people who reside there operate under the assumption that this recognition will not later disappear absent good reason. A strong expectation interest attaches when a group is drawn into a district as a community of interest. While some pre-existing shared

bonds surely help to justify establishing a district (as the Commission has observed), interests also emerge as a result of drawing a group in a district. These include the ability to have an impact on campaigns and elections; the increased incentive to build new social, cultural and economic networks within the community; and the belief that such a community will continue to flourish over time.

This claim about recognizing pre-existing communities at other levels of governance is not just the product of abstract theory nor is it about privileging past advantages. Residents in these long-standing communities have become effective in working alliances and institutions that engage the political process and hold elected officials accountable. The delicate web of civic and social connections that emerge in socio economically depressed areas helps form the foundation for a workable, participatory democracy in the larger jurisdiction. With the very costly investments of time and effort on the part of residents to begin and to cultivate these groups, a recognized community of interest in this area should not be tampered with lightly. AARC therefore would respectfully submit that the Commission start from the presumption that distinct communities currently recognized in a district should be preserved unless other workable alternatives are not available. Particularly where those districts reflect connections in other layers of government, we think that the community of interest argument is relatively stronger.

In this case, we think that African Americans in South LA represent an ideal illustration of both features defining a community of interest that ought to be prioritized under state law. Before turning to elaborate further on the points that we have addressed in the original submission that support the community of interest claims, though, there is an initial point to make about the role that race should play in our formulation of community of interest.

We have followed these priorities in fashioning district configurations in the plans that we have endorsed today, and we would respectfully urge the CRC to do the same.

AARC's Submissions: "Unity" Map for Assembly and Senate and Revised South Los Angeles Congressional Districts Map

AARC's presentation submitted on May 26 included a thorough analysis demonstrating the importance of maintaining South Los Angeles's core communities' district configurations. That report included supporting data showing the relevant communities of interest (COI), the evidence of the community's record of electing preferred candidates, as well as testimony from the stakeholders in South LA. Unlike the CRC's first draft, our proposal did not severely reduce electoral opportunities for any minority group, nor did it radically refashion the communities joined together in existing maps. AARC presented a plan that took all relevant law into account.

Unfortunately, the CRC's draft maps and subsequent visualizations do not track AARC's lines which respected African American effective districts (and communities of interest) in South Los Angeles and sought to ensure that Black voters would continue to have an opportunity to elect candidates of choice. AARC is, therefore, participating in a unity map submission and is also

submitting a revised Congressional Plan for South Los Angeles districts which reflects the importance of adherence to the Voting Rights Act while respecting communities of interest.

Community of Interest (COI) Testimony Strongly Supports AARC's Original Plans, the Assembly and Senate "Unity" Plans and AARC's Amended Plan for South Los Angeles Congressional Districts

The Commission heard a great amount of COI testimony regarding South Los Angeles at its June 16 Culver City hearing. Residents expressed their concerns about ignored communities of interest, and identified the specific assets and resources in their communities that are essential for their continued effective participation. Specifically, the CRC received testimony that identified assets including Los Angeles International Airport (LAX) and neighborhoods including Westchester that were excluded from their communities of interest in the Inglewood-Southgate (IGWSG) Congressional District. And it also heard that Compton, Carson and North/West Long Beach share a community of interest that should be respected for educational, social, cultural and transportation corridor reasons.

The revised Congressional plan adopts the basic Coastal District configuration contained in the CRC's first draft. However, given the very substantial testimony about the importance of issues of employment and overdevelopment related to LAX, AARC endorses the concept of decoupling Inglewood and Southgate in favor of re-connecting LAX adjacent neighborhoods such as Westchester to the district. We think that this move assures that the populations that form the community of interest of those who are affected by LAX policy remain together, and it assures that distinct neighborhoods of Southgate do not find themselves in unnecessary competition with the areas to the west of the 110 Freeway.

North of that district is one of the most racially and socio-economically diverse districts in the state. Rooted in Culver City, this congressional district bridges some of the core African American cultural districts in Crenshaw with middle class communities in View Park with solidly upper income neighborhoods in and around West LA. Several residents testified before the CRC indicating the importance of maintaining the political alliances that have developed in this area. In many ways, this district is the exemplar of what makes politics in Los Angeles distinct from any other place in the country; accordingly, we think this special community -- which includes a profile as a haven for the television and film industry, should be maintained.

Finally, to the East of this area is a north-south congressional district that links Carson and Compton with portions of Long Beach. The CRC heard an abundance of information about the importance of the traditional corridor for African American, Latino and Asian populations around the issues of education and cultural development and the effects that port traffic has on these communities. The division of Long Beach was necessary to preserve the linkages that these populations find with the areas to the north, which are connected by the 110 Freeway.

Inglewood-Southgate (Congressional IGWSG)

First, LAX not only has one of the largest concentrations of African-American employees in the county, but it has been a focal point of community coalition building between Westchester, Hawthorne, Inglewood, Lawndale and Gardena around issues of noise mitigation and runway expansion. Similarly, the South Bay Workforce Investment Board, has created a regional partnership which utilizes many members of the same coalition to provide job opportunities throughout southern Los Angeles County. Finally, Loyola Marymount University has created a program -- A Community of Schools -- dedicated to serving students from low-income families throughout Inglewood and South Los Angeles. These are but a sampling of the longstanding working relationships between these communities. The CRC draft maps, as presented, disregarded this rich history of shared resources, severed the coalitions and stretched a district from Inglewood to Southgate,¹ two communities which have little in common.

We were encouraged to see that the June 22 visualizations are moving in the right direction with respect to this district -- Southgate was removed from this district and Westchester and certain of the South Bay cities were added. However, the CRC needs to adopt the configurations presented by AARC with this submission.

Hawthorn-Gardena-Compton-Carson (HTGCC) and Long Beach-Port (LBPR)

The CRC also heard a great amount of COI testimony related to the HTGCC and LBPR congressional districts from concerned residents of Compton, Carson, Signal Hill and Long Beach. There, a diverse group of individuals spoke of the commonalities these communities share--how they have worked together on educational, social and environmental issues and co-sponsored cultural celebrations, and how the port traffic, which travels north through their cities, impacts their communities. Members of the Cambodian community in Signal Hill described their community of interest with Compton and Carson and Carson residents expressed an interest in keeping Carson whole within any district.

Conclusion

The Unity Maps for Assembly and Senate submitted by AARC, APALC and MALDEF and AARC's revised South Los Angeles Congressional plan are responsive both to the Commission's first draft maps and the Voting Rights Act, and the plans also take into account the testimony that the CRC has received. More importantly, these new South Los Angeles districts would not deny members of the African American community an opportunity to elect candidates of choice and would indeed respect communities of interest.

¹ Instead, testimony linked Southgate to communities including Bell and Walnut Park.

California

Plan District Statistics w/Citizen Voting Age Population

DISTRICT	POPULATION	DEVIATION%	LATINO%	NH_WHT%	NH_BLK%	NH_ASN%	LATINOCVAP%	NHWHCVAP%	NHBLKCVAP%	NHASNCVAP%
CA Congressional District Plan E9										
CRSLP	702905	0.0%	36.7%	27.6%	21.7%	10.5%	20.0%	37.9%	29.8%	10.1%
DWWTR	702915	0.0%	66.7%	16.9%	2.4%	12.3%	55.7%	26.7%	3.2%	13.0%
HTGCC	702906	0.0%	54.0%	11.0%	20.4%	11.1%	33.7%	19.5%	30.7%	12.5%
IGWSG	702906	0.0%	58.7%	7.6%	26.6%	4.8%	34.6%	14.6%	42.8%	6.2%
LBPRT	702904	0.0%	63.7%	21.4%	7.5%	5.2%	44.8%	36.9%	10.0%	6.0%
PVEBC	702906	0.0%	22.8%	52.0%	3.9%	16.9%	16.5%	63.2%	4.3%	13.4%

