

REGION 7: SANTA CLARA

FAX

Date 7/18/2011

Number of pages including cover sheet: 6

To:

Citizens Redistricting Commission

From:

Dennis Chiu

Prodigy Law

San Jose

CA

95113

Phone

Phone

Fax Phone +1 (916) 651-5711

Fax Phone

REMARKS:

Written Public Comment on Proposed July 16, 2011 Assembly Map (Northern California) from BAYMEC on behalf of the LGBT community in San Jose, California.



Bay Area
Municipal
Elections
Committee

*Advocating for
Lesbian, Gay,
Bisexual and
Transgender
Rights in the
South Bay*

WWW.BAYMEC.NET

July 17, 2011

VIA FEDERAL EXPRESS & FACSIMILE (916) 651-5711

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

**Re: San Jose Lesbian, Gay, Bisexual & Transgender (LGBT)
Community Written Public Comment on the Proposed July 16,
2011 Assembly Districts Map for Northern California.**

Dear Commissioners:

The Bay Area Municipal Elections Committee (BAYMEC) would like to thank the Citizens Redistricting Commission for recognizing the Lesbian, Gay, Bisexual and Transgender (LGBT) community as a "Community of Interest". On behalf of the LGBT community in San Jose, BAYMEC respectfully requests a small shift in the proposed SANJO Assembly District to protect the LGBT Community of Interest.

**ONE SIMPLE ADJUSTMENT KEEPS THE CORE SAN JOSE
LGBT COMMUNITY WHOLE**

We have reviewed the Commission's Proposed California Assembly District Map for Northern California, published July 16, 2011 on your website at <http://wedrawthelines.ca.gov/maps-assembly-working-draft.html> ("July 16, 2011 N. CA Assembly Map"), and with one simple shift the entire Core San Jose LGBT ("Core SJ-LGBT") community will be one and whole.

In our last letter to the Commission, dated June 27, 2011, presented at the public hearing in San Jose, BAYMEC identified the Core SJ-LGBT community, which is attached again to this letter as Exhibit A. (This Core SJ-LGBT community was identified through Equality California's database built with Redistricting Partners, utilizing methodology reviewed by the Williams Institute and university researchers from USC and CSU.)

In the July 16, 2011 N. CA Assembly Map, the southern portion of the Core SJ-LGBT area is split and separated between two Assembly Districts. If the Commission looks at Diagram 1 on the next page, just below the northwestern border of the proposed SANJO Assembly District, it will observe that the blue LGBT community in the Newhall-Sherwood community and south of Park Avenue sit uncomfortably in the proposed SILIV Assembly District, away from the rest of the blue LGBT community in the proposed SANJO Assembly District.

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WIGGSY SIVERTSEN
KEN YEAGER

A Non-Partisan Political
Action Committee
FPPC ID: 841499

San Jose, CA 95150-6296

Letter to Citizens Redistricting Commission
Re: San Jose LGBT Community Written Public Comment
July 17, 2011
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Proposal 1

To correct this, BAYMEC respectfully requests that the northwestern boundary of the SANJO Assembly District, as proposed in the July 16, 2011 N. CA Assembly Map, shift southwest to include the major corner of W. San Carlos Street and N. Bascom Avenue. (See Diagram 1A below.)

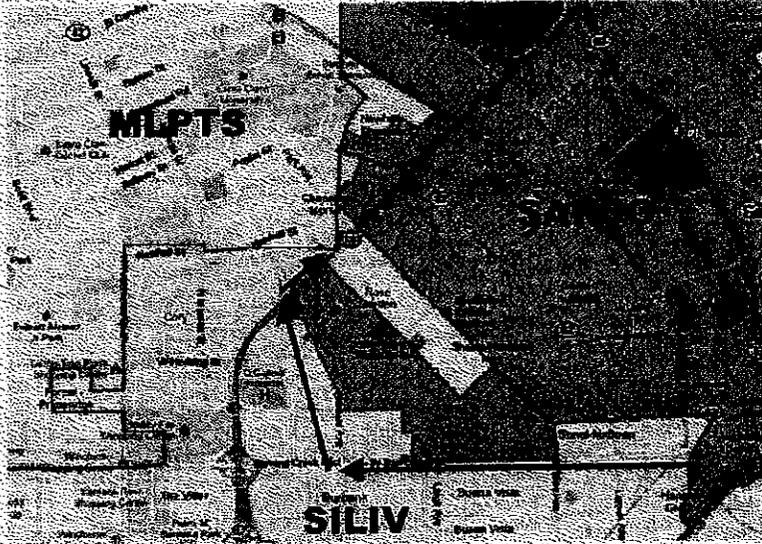


Diagram 1A

Proposal 2

In the alternative, BAYMEC proposes a simpler line change for the proposed SANJO Assembly District. The southwestern boundary for the proposed SANJO Assembly District could follow W. San Carlos Street / Stevens Creek Blvd to the Valley Fair Shopping Center. (See Diagram 1B below.)

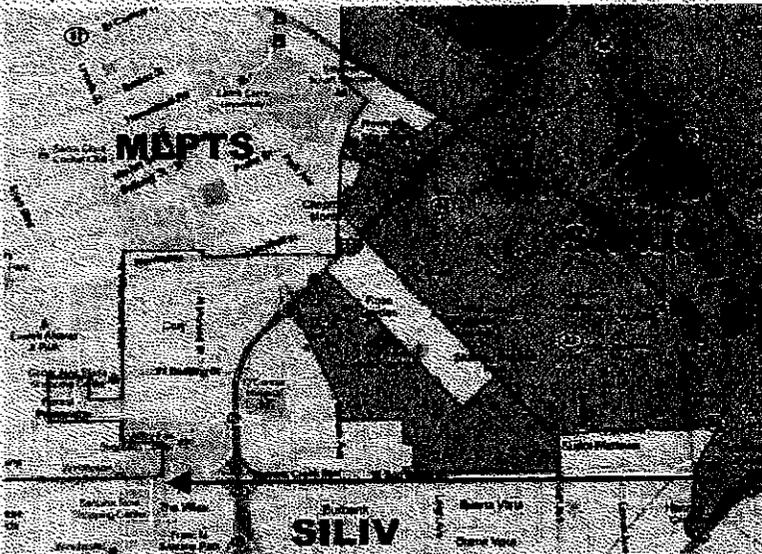


Diagram 1B

Letter to Citizens Redistricting Commission
Re: San Jose LGBT Community Written Public Comment
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THERE EXIST SEVERAL GOOD REASONS FOR THE REQUESTED SHIFT

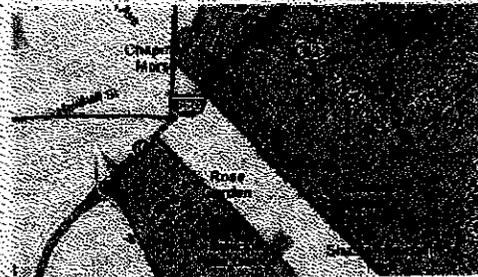
In addition to the proposed shift being good for the LGBT community, there exist several other good reasons for the shift. They are as follows:

1. The shift eliminates the triangular island anomaly at the northeastern border of the proposed SILIV Assembly District. This area is centered in the Newhall-Sherwood neighborhood. (See Diagram 2.)



Diagram 2

2. Major highways and city intersections are observed to meet local expectations of where political boundaries would naturally occur. Highway 880 is, by its very nature, an expected boundary, and West San Carlos Street and N. Bascom Avenue are major feeder streets to two freeway entrances to Highway 880. All local residents that use W. San Carlos or N. Bascom



Letter to Citizens Redistricting Commission
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SUMMARY

The Core SJ-LGBT Area is so close to being one and whole, and with the Commission's help to shift the proposed SANJO Assembly District southwest to the corner of W. San Carlos Street & N. Bascom Avenue, or to the Valley Fair Shopping Center (as proposed in Diagram 1A and Diagram 1B respectively), the Core SJ-LGBT Area will be one and whole. Not only does BAYMEC's requested shift empower San Jose's Lesbian, Gay, Bisexual and Transgender community, but it eliminates the triangle island anomaly in the northeastern corner of the proposed SILIV Assembly District, uses natural highway and large street boundaries, and keeps the historic "Rosegarden" neighborhood together.

Thank you for all of the work you have done thus far, and for your kind consideration.

Respectfully submitted,



Thanh Ngo, President
BAYMEC

Attachment

ABOUT BAYMEC

BAYMEC is a four-county lesbian, gay, bisexual, and transgendered (LGBT) non-partisan group that has been advocating for the civil rights of LGBT people since 1984. It is the only political action committee (PAC) dedicated to this purpose in the counties of San Mateo, Santa Clara, Santa Cruz, and Monterey. BAYMEC is governed by a Board of Directors and is supported solely through private contributions. The organization's purpose is to lobby and fight for LGBT civil rights. For over 27 years, BAYMEC has raised its concerns with countless politicians; worked to elect LGBT people and supportive allies to political offices; lobbied Sacramento and the state on AIDS and LGBT civil rights; and worked with police, fire department, governmental, organizational, and a variety of community groups to further equality for LGBTs. BAYMEC provides an experienced, broad-based, and coherent political voice for the LGBT community.

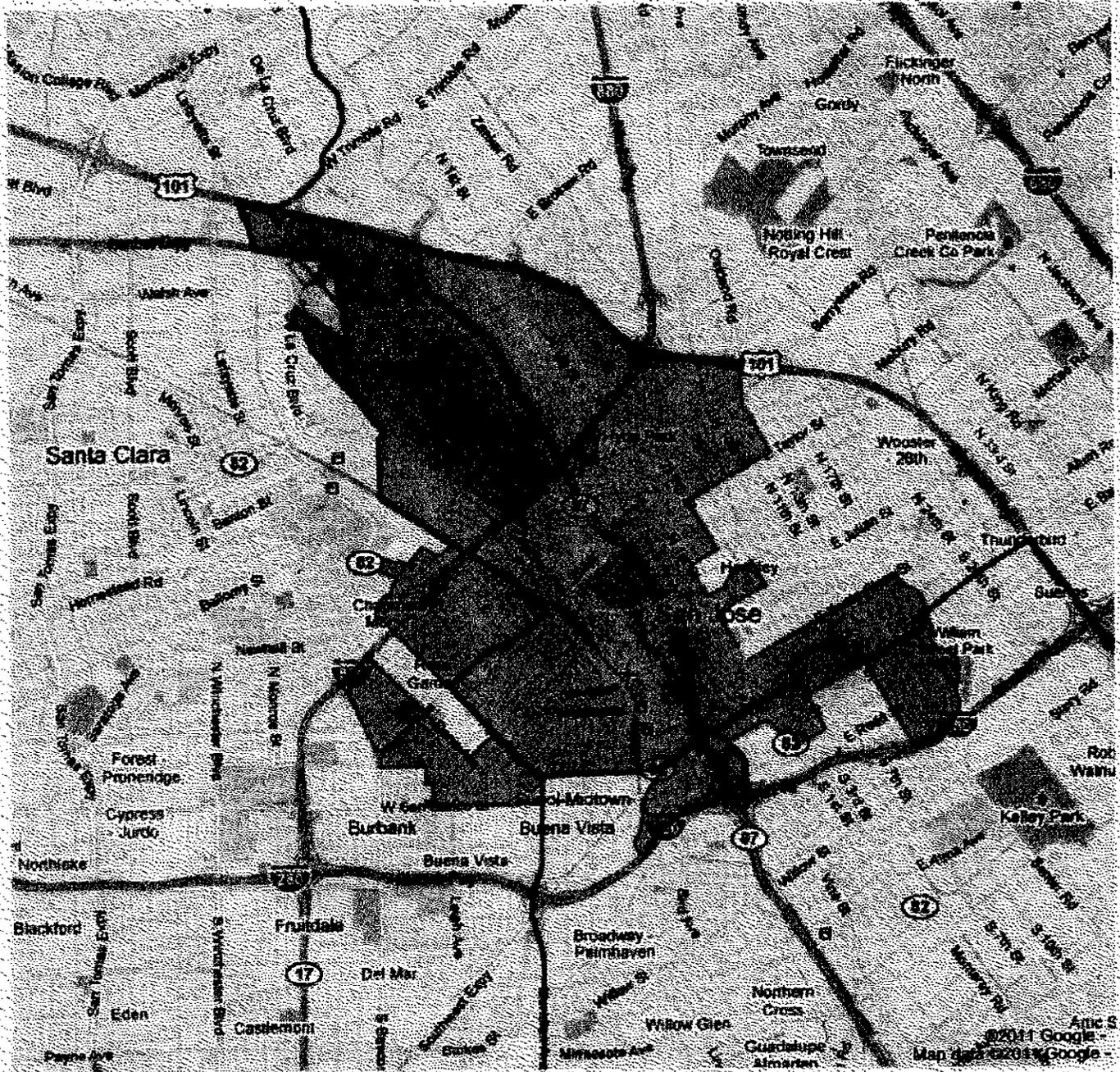


EXHIBIT A

From: Elma Arredondo <[REDACTED]>
Date: Mon, 18 Jul 2011 09:42:25 -0700 (PDT)
To: [REDACTED]

My name is Maria Elma Arredondo. I am a long time resident of California, a resident of East San Jose, a registered voter and an active member of my community.

I want to express my dissatisfaction and dismay with the San Jose Assembly and Senate district maps that were released by the Commission on June 7th and your recent "visualizations" that discriminate against our Latino community. These maps represent a dilution of the critical political leadership of East San Jose. Our community has historically been disenfranchised, and only recently have we experienced success in electing representatives that truly represent our community.

Your actions to divide our community into three Assembly and Senate districts will completely dilute our voice at the state level and divide our community of interest.

I would like to recommend to the Commission that they maintain the 23rd Assembly District as is or with only minor adjustments. The district is reasonably compact. I would also urge that the 28th Assembly District be maintained as it is also reasonably compact. The last decade we have elected Assembly Members in these districts that have served our community very well and given us important leadership at the state level.

I would then recommend that the 23rd and 28th Assembly Districts should be nested together to form a Senate District that combines communities of interest in Santa Clara, Monterey, and San Benito Counties. I recommend this because there are common similarities in these districts that form an effective community of interest. The income and poverty levels are similar, the educational needs are similar, there are cultural similarities, and the employment needs are similar. There is also a transportation corridor that runs through the center of these two districts.

In closing, I would like to remind you that 90 percent of state population growth since 2000 was from Latinos, yet the number of districts where a Latino has a good chance of being elected remains the same or may even go down. I urge the Commission to please fix this before the final maps are approved on August 15. You must also correct the East San Jose split in the final preparation of maps. As the San Jose Mercury News points out "East San Jose is heavily Latino and its fragmentation clearly splits a '*community of interest*' as defined by law". Finally, We will not stand idly by and allow this commission to disenfranchise and intentionally discriminate against California Latinos.

Maria Elma Arredondo
[REDACTED]
San Jose, CA 95116

Subject: Public Comment - Proposed Northern California Assembly Maps, released July 16, 2011

From: "Dennis W. Chiu" <[REDACTED]>

Date: Mon, 18 Jul 2011 00:41:01 -0700

To: <[REDACTED]>

Dear Commissioners:

I am sending the attached written public comment via email, because your fax number [REDACTED] is busy or non-functioning as of Monday morning, July 18, 2011 at 12:12 AM.

The attached letter is on behalf of BAYMEC, representing the Lesbian, Gay, Bisexual & Transgender of San Jose, California regarding the proposed working maps for the Northern California Assembly Districts, released on your website July 16, 2011.

Should you have any questions, please do not hesitate to contact me at my information below.

Very truly yours,

Dennis W. Chiu, Esq.
Attorney-At-law

PRODIGY LAW
WWW.PRODIGYLAW.COM
[REDACTED]
San Jose, California 95113

[REDACTED]
WWW.PRODIGYLAW.COM

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BAYMEC Ltr2Redistrict-07-17-2011-Final-Optimize.pdf



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Diagram 1A

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Diagram 1B

THERE EXIST SEVERAL GOOD REASONS FOR THE REQUESTED SHIFT

In addition to the proposed shift being good for the LGBT community, there exist several other good reasons for the shift. They are as follows:

1. The shift eliminates the triangular island anomaly at the northeastern border of the proposed SILIV Assembly District. This area is centered in the Newhall-Sherwood neighborhood. (See Diagram 2.)



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2. Major highways and city intersections are observed to meet local expectations of where political boundaries would naturally occur. Highway 880 is, by its very nature, an expected boundary, and West San Carlos Street and N. Bascom Avenue are major feeder streets to two freeway entrances to Highway 880. All local residents that use W. San Carlos or N. Bascom to access Highway 880 would see BAYMEC's proposed shift as common sense. (See Diagram 3.)

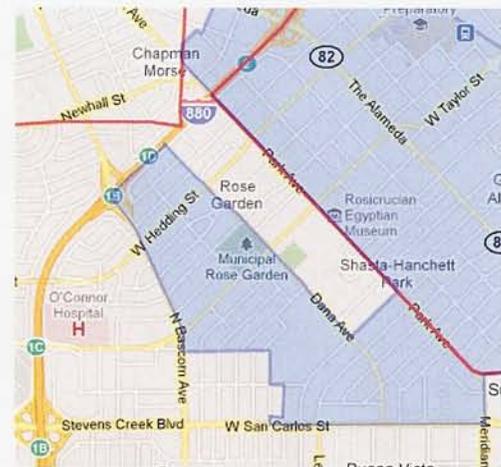


Diagram 3

3. Finally, the historic San Jose "Rosegarden" neighborhood would be kept intact. The "Rosegarden" neighborhood surrounds the award-winning San Jose Municipal Rose Garden at the center of Diagram 3, which has existed as an entity since the early 1900s. The neighborhood extends from the Municipal Rose Garden northeast to The Alameda (CA 82) and south to W. San Carlos Street.

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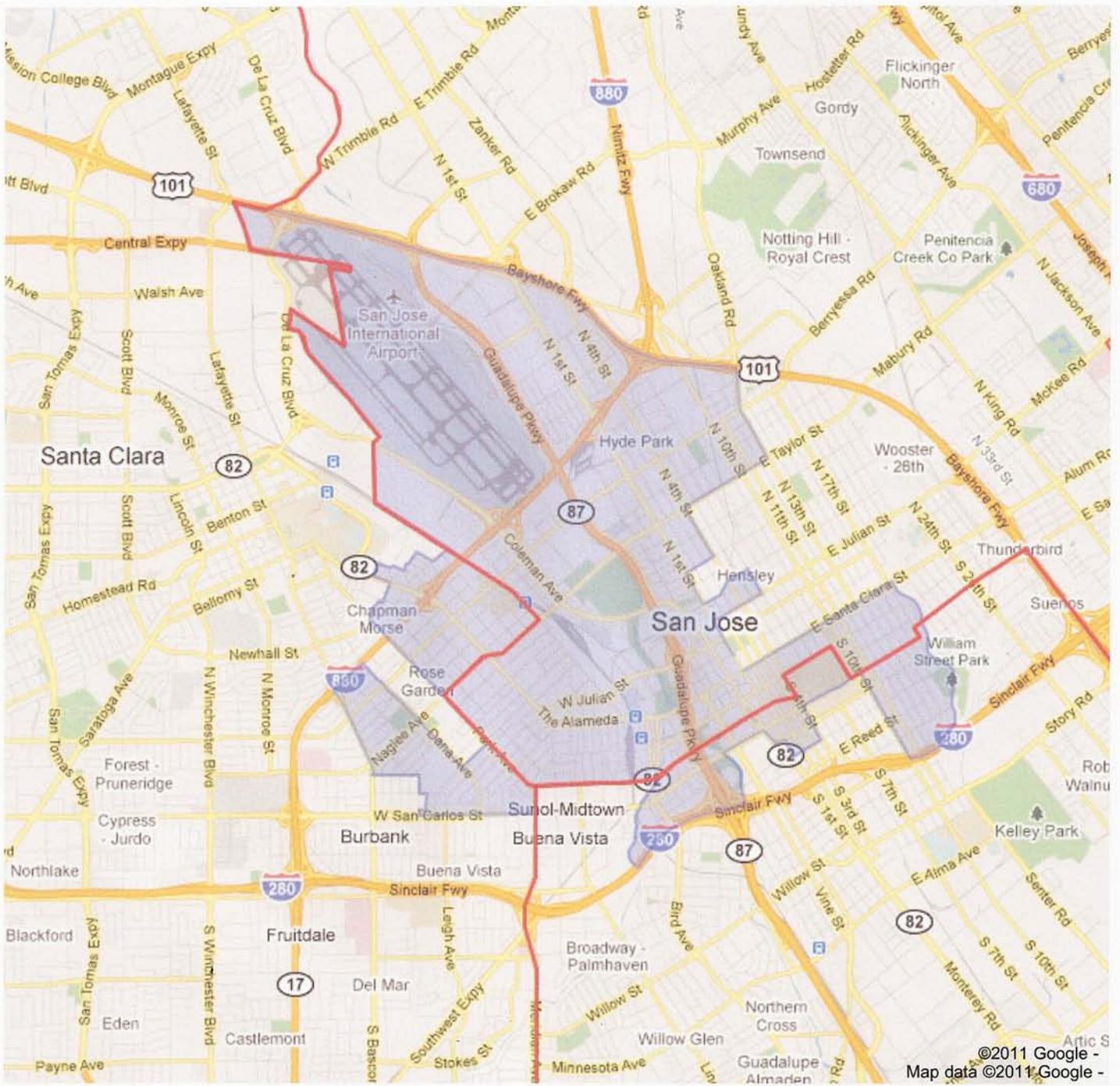


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EXHIBIT A