

Subject: Comment letter from BAYMEC

From: Richard Poppen <[REDACTED]>

Date: Fri, 5 Aug 2011 14:51:20 -0700

To: [REDACTED]

Dear Commissioners:

Please see the attached letter of comment from BAYMEC.

Richard Poppen
Secretary, BAYMEC

BAYMEC letter 11 08 05.pdf



Bay Area
Municipal
Elections
Committee

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

WWW.BAYMEC.NET

August 5, 2011

VIA EMAIL [REDACTED]

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 Final Draft of CA
Senate & Assembly District Maps for Northern California.**

Dear Commissioners:

We are writing to provide written public comment regarding the Final Draft Maps for the California State Assembly and State Senate Maps for Northern California, City of San Jose area.

**A. SAN JOSE LGBT VOTERS HAVE A CONSTITUTIONAL
RIGHT TO VOTE FREE FROM STATE SANCTIONED
DISCRIMINATION BASED ON SEXUAL ORIENTATION.**

In "In Re Marriage Cases" (2008), the California Supreme Court held that sexual orientation is a "suspect classification", like gender, race and religion. While the Court referred to "same-sex couples" in the previously mentioned case, the LGBT community was obviously the larger group that the Court referred to who could be distinguished by sexual orientation. Hence, the San Jose LGBT community is a protected class and may not be discriminated against by the State Citizens Redistricting Commission.

Further, the high Court held that sexual orientation cannot be the basis for denial of the fundamental right of a family relationship. The fundamental right to vote is at least equal to the fundamental right to a family relationship, if not greater, since the right to vote is the basis by which our nation insures a free and just society. Therefore, the San Jose LGBT community may not be denied its right to vote.

Applying these principles, the California Citizen's Redistricting Commission may not deny the San Jose LGBT community its fundamental right to vote based on sexual orientation.

Founded in 1984 by
WIGGSY SIVERTSEN
KEN YEAGHER

A Non-Partisan Political
Action Committee
FPPC ID: [REDACTED]



[REDACTED] • San Jose, CA 95150-6296 • [REDACTED]

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B. THE COMMISSION HAS DENIED THE LGBT COMMUNITY ITS RIGHT TO VOTE BASED ON SEXUAL ORIENTATION.

From first to final draft, each iteration of the redistricting maps for the California Assembly and State Senate has either remained bad or become worse for the San Jose LGBT community. The final draft maps are shown below.

Final Draft – CA Assembly (San Jose)



Final Draft – CA Senate (San Jose)



(Note: The blue areas in all diagrams are the LGBT areas previously identified by Equality California with Redistricting Partners, utilizing methodology reviewed by the Williams Institute and university researchers from USC and CSU. Said blue areas are from the same data

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previously accepted by the Commission as proof of the location of the LGBT Community of Interest. The red lines are the Commission's final draft proposed district lines.)

As the Commission is aware, in a Republic, citizens vote for representatives to protect their interests in the state legislature. By dividing San Jose LGBT voters into three California Assembly Districts and into two California State Senate Districts, the Commission has ensured that the San Jose LGBT community will have little or no electoral power as a community to elect state legislators to represent its interests.

Technically, San Jose LGBT voters, identified in the maps above, may cast a ballot. However, the Commission has made the San Jose LGBT community's ballots impotent.

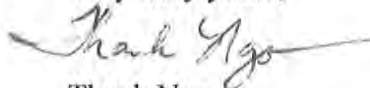
No other suspect classification in the San Jose area has had their votes so substantially castrated, and been denied equal protection of the law to this extent. The above final drafts are a *de facto* disenfranchisement of the San Jose LGBT community and a government imposed *de facto* denial of the San Jose LGBT community's fundamental right to vote.

C. BAYMEC DEMANDS THAT THE COMMISSION PLACE THE SAN JOSE LGBT COMMUNITY INTO ONE CALIFORNIA ASSEMBLY DISTRICT AND ONE STATE SENATE DISTRICT.

BAYMEC hereby demands that the California Citizen's Redistricting Commission uphold the Constitution of the State of California by placing the San Jose LGBT Community (identified in blue in the maps above) into one California Assembly District and one California State Senate District.

Failure to do so will commit BAYMEC and the Commission on the unavoidable path to litigation before the California Supreme Court, and cause significant and irreparable harm to the San Jose LGBT community.

Very truly yours,



Thanh Ngo
President

cc: Dennis W. Chiu, Esq. [REDACTED]
Equality California [REDACTED]
ACLU of Northern California [REDACTED]
Bay Area Lawyers for Individual Freedom [REDACTED]

Subject: Public Comment: 7 - Santa Clara

From: Ben <[REDACTED]>

Date: Fri, 5 Aug 2011 17:39:34 +0000

To: [REDACTED]

From: Ben <[REDACTED]>

Subject: Putting the city of Santa Clara outside of Santa Clara County

Message Body:

The tentative boundary of placing the City of Santa Clara with East Bay cities of Newark, Union City, Hayward and Castro Valley is absolutely ridiculous. Santa Clara has nothing common with those cities for purposes of representation. Santa Clara works closely with San Jose and Sunnyvale and is the heart of "Silicon Valley". It has historic connections to those cities, including sharing borders, transporations systems (light-rail) and other economic projects.

Apparently the commissioners that are deciding these districts are from out of the area and have no sense of the South Bay and the alliances between the bordering cities.

This travesty must be stopped. Please use common sense and redraw these boundaries.

Ben Levinson-Santa Clara resident for the last 30 years.

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public Comment: 7 - Santa Clara

From: Eve Sutton <[REDACTED]>

Date: Sat, 6 Aug 2011 00:24:25 +0000

To: [REDACTED]

From: Eve Sutton <[REDACTED]>

Subject: East Palo Alto must stay with Palo Alto

Message Body:

East Palo Alto and Menlo Park must stay in the same district as Palo Alto. The school districts go across city lines (many EPA kids attend Palo Alto schools, and the Ravenswood district serves both EPA and MPk); the cities of East Palo Alto and Menlo Park are joined at the hip and both extend to both sides of 101. Whoever thought of drawing the proposed line between District 14 and the new 18 has no clue about the residents in this area!

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public Comment: 7 - Santa Clara

From: Eve Sutton <[REDACTED]>

Date: Sat, 6 Aug 2011 00:24:25 +0000

To: [REDACTED]

From: Eve Sutton <[REDACTED]>

Subject: East Palo Alto must stay with Palo Alto

Message Body:

East Palo Alto and Menlo Park must stay in the same district as Palo Alto. The school districts go across city lines (many EPA kids attend Palo Alto schools, and the Ravenswood district serves both EPA and MPk); the cities of East Palo Alto and Menlo Park are joined at the hip and both extend to both sides of 101. Whoever thought of drawing the proposed line between District 14 and the new 18 has no clue about the residents in this area!

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public Comment: 7 - Santa Clara

From: Fouzi Husaini <[REDACTED]>

Date: Fri, 5 Aug 2011 21:36:57 +0000

To: [REDACTED]

From: Fouzi Husaini <[REDACTED]>

Subject: Do not redistrict Sunnyvale

Message Body:

It's come to my attention that there is a proposal for redistricting Sunnyvale so that Sunnyvale and Mt. View will no longer be part of the same district. I think this is a big mistake and would hurt the City of Sunnyvale immensely. Please do not allow this to happen.

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public Comment: 7 - Santa Clara

From: Mary Cisneros <[REDACTED]>

Date: Sat, 6 Aug 2011 04:24:15 +0000

To: [REDACTED]

From: Mary Cisneros <[REDACTED]>

Subject: Redistricting a gated community called, the Villages

Message Body:

Use common sense. Do NOT put a dividing line right in the middle of our Senior Community called "The Villages"

Don't you people have better things to do with your time?

We are an intact community and whoever in Sacto. does not know this should get a map, or google us, and see that this plan helps no one and hinders many!

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public Comment: 7 - Santa Clara

From: RODMAN K FITSEMONS <[REDACTED]>

Date: Fri, 5 Aug 2011 20:27:03 +0000

To: [REDACTED]

From: RODMAN K FITSEMONS <[REDACTED]>

Subject: LINES

Message Body:

YOU HAVE DRAWN THE CITY SANTA CLARA IN WITH CITIES OF THE EAST BAY. WE HAVE NOTHING IN COMMON. EAST BAY IS EAST BAY . CITY OF SANTA CLARA IS SOUTH BAY LIKE SUNNYVALE , SAN JOSE,

--

This mail is sent via contact form on Citizens Redistricting Commission

Subject: Redistricting for US Congress, districts 14/18

From: Eve Sutton <[REDACTED]>

Date: Fri, 05 Aug 2011 17:26:11 -0700

To: <[REDACTED]>

East Palo Alto and Menlo Park (San Mateo County) must stay in the same district as Palo Alto (Santa Clara County). The school districts go across city lines (many EPA kids attend Palo Alto schools, and the Ravenswood district serves both EPA and MPk); the cities of East Palo Alto and Menlo Park are joined at the hip and both extend to both sides of 101. Whoever thought of drawing the proposed line between District 14 and the new 18 has no clue about the residents in this area!

Eve Sutton
East Palo Alto, CA

RECEIVED

AUG 08 2011

CITY OF SUNNYVALE

The Heart of Silicon Valley SM

SUNNYVALE, CALIFORNIA 94086

Per _____

August 3, 2011

Region 7:
Santa Clara
County

Melinda Hamilton
Mayor

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

Jim Griffith
Vice Mayor

Re: Opposition to the July 27, 2011 Proposed Congressional District Map

Otto Lee
Councilmember

Dear Commissioners:

Christopher R. Moylan
Councilmember

The City of Sunnyvale is most strongly opposed to the July 27 proposed revision of the Congressional District Map that significantly revises the boundaries as drawn on July 19. The July 27 boundaries artificially separate Sunnyvale from its communities of interest, which include Mountain View and Palo Alto – cities in Silicon Valley with which Sunnyvale shares similar regional and economic interests, living standards, transportation facilities and work opportunities.

Anthony (Tony) Spitaleri
Councilmember

Sunnyvale noted the importance of inclusion with Silicon Valley cities to its western border at the Commission's public outreach meeting in San Jose on May 23. Councilmember Christopher Moylan provided the Committee with the City's concerns, explaining that Sunnyvale's communities of interest (COI) are the cities that border us to the west: Mountain View, Palo Alto and Los Altos. With these cities we share regional concerns and have forged strong and important partnerships contributing to each city's and the region's wellbeing. Palo Alto and Mountain View utilize Sunnyvale's Materials and Retransfer (SMART) Station. Recently we have entered into agreements with Mountain View, Palo Alto and Los Altos concerning public safety dispatch. Sunnyvale and Mountain View are contiguous to, and have strong interests in, the Moffett Federal Complex, and it would benefit the region to share that representation within one district. Both VTA and CalTrain join Sunnyvale, Mountain View and Palo Alto as a common transportation corridor. None of these facilities or interests are shared in common with Alameda County communities.

David Whittum
Councilmember

While we appreciate the hard work of the commission and the challenge that redistricting presents, we must oppose the current proposed congressional boundaries. Given the significant changes to

the proposed boundaries made between July 19 and 27, and the very limited window of time available for comment after July 27, we encourage you to take the opportunity to more effectively align communities to reflect the shared interests we have noted.

On behalf of the Sunnyvale City Council, thank you for your consideration and service to the community.

Sincerely,



Melinda Hamilton
Mayor



Gary Luebbers
City Manager

cc: Sunnyvale City Council