

Subject: another comment

From: "Shupe, Christina" <[REDACTED]>

Date: Wed, 31 Aug 2011 14:08:37 -0700

To: Communications Office <[REDACTED]>

From: Kirk Maldonado [REDACTED]

Please forward this accolade to Cynthia M. Dai.

I have written you this message because I wanted to express exactly how impressed I was by the quality of your op-ed piece in the *Los Angeles Times*. You did an amazing job of explaining the redistricting process and the considerations that were taking into account in the deliberations, while still making it compelling reading. Kudos on a truly exemplar piece of journalism!

You should know that I am a veritable news junkie; spending literally five to ten hours a day, seven days a week, scouring the internet for news. It is extremely rare for me to come across a piece as well-written as yours.

Kirk F. Maldonado

Subject: Public Comment: General Comment

From: David Pratt <b[REDACTED]a[REDACTED]>

Date: Thu, 1 Sep 2011 00:52:43 +0000

To: votersfirstact@crc.ca.gov

From: David Pratt <[REDACTED]>

Subject: Teleconference Meetings

Message Body:

Since the videos seem to be perpetually pending, how about having the Public Information Officer writing relatively brief minutes and posting them quickly?

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This mail is sent via contact form on Citizens Redistricting Commission

Subject: Public comment

From: "Shupe, Christina" <[REDACTED]>

Date: Wed, 31 Aug 2011 14:07:35 -0700

To: Communications Office <votersfirstact@crc.ca.gov>

From: Ralph Shaffer [mailto:[REDACTED]]

Greetings, Ms Dai:

I read your op-ed in this morning's L A Times. My position was made very clear in an op-ed several weeks ago in the other L A paper, the Daily News. Our views are poles apart.

In your piece this morning you indicated the commission's guidelines:

"at the top of the list, the U.S. Constitution's requirement of equal population among like legislative districts"

The problem, and it is a serious one, is that you started with a false premise, a "constitutional" mandate that is *not* in the U S constitution. I made that point in my op-ed, but apparently the commission chose to ignore it.

The only U S constitutional requirement regarding allocating legislative seats is the one that requires that seats in the House be allocated to the various states on the basis of population. Nothing is said about how a state will then distribute the seats within a state. Nothing is contained in the constitution about allocating seats in state legislatures, boards of equalization or city councils.

IF you are going to argue that the "courts" have ruled that the constitution intended that state legislative seats be allocated on the basis of population, you are on dangerous ground. The binding case in California is a Ninth Circuit case, *Garza v County of Los Angeles*. In the basic decision, at the trial court level, Judge Kenyon repeatedly said districts had to be equal, not in population, but in "voting age citizens."

The commission flaunted Kenyon's ruling by counting non-citizens, including up to two million illegal aliens, in creating districts of equal population. In so doing, you have given a much smaller number of "voting age citizens" a seat in the assembly while in other assembly districts the number of "voting age citizens" is far greater. In essence, in protecting the "one man, one vote" ruling of the court you have actually negated that ruling.

I don't expect anything will be done about your mistake. There are lawyers for ethnic groups that will find court precedents to validate your action. But it is wrong.

Ralph E. Shaffer

Professor Emeritus, History
Cal Poly Pomona