

REPORT ON AARC'S REDISTRICTING PROPOSAL

Submitted to the California Citizens
Redistricting Commission

May 26, 2011

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**PRESENTED TO
THE CALIFORNIA CITIZENS REDISTRICTING COMMISSION
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NORTHRIDGE, CALIFORNIA**

The African American Redistricting Collaborative (AARC) is a collection of civic groups that serve the African American and other communities throughout the state of California.¹ Our constituent groups have extensive experience in the areas of political participation and voting rights—including past local and statewide redistricting processes. Past projects include community organizing, public education, mapping, legislative advocacy, legal analysis and litigation. AARC’s goal is to guarantee that the political arena provides opportunities for the most robust and meaningful participation by its members. While unapologetic about its roots in the African American community, AARC works on behalf of Californians with varied cultural backgrounds who seek a voice in the centers of power.

Redistricting is among the single most important moment for assigning political power in this state. As with foundational public policies like budgeting, the redistricting process also helps to define in tangible ways both who and what matters in California. With the line drawing managed by the Commission for the first time in this cycle, AARC has worked diligently to demonstrate the continuing need to recognize the significant contributions that African Americans in California continue to make in our diverse state.

AARC’s Redistricting Activities

AARC has worked over the past several months to assure that African Americans participate in this redistricting cycle to the fullest extent—from raising awareness in our community about the process and testifying about our neighborhoods, to crafting and commenting on proposed maps. Specifically, AARC has conducted a series of community meetings to solicit ideas and feedback from our members about the commission’s current process and important elements in any AARC-sponsored district plan.² Further, AARC has collaborated

¹ The associate member groups of AARC include: The Advancement Project, AME Fifth Episcopal District, Black American Political Association of California, Brotherhood Crusade, California Black Chamber of Commerce, California Black Women’s Health Project, Community Coalition of South Los Angeles, Council of Black Political Organizations (COBPO), COGIC First Jurisdiction, Greenlining Institute, Inland Empire African American Redistricting Coalition, Lawyers’ Committee of the San Francisco Bay Area, Los Angeles NAACP, Los Angeles Urban League, NAACP California State Conference, NAACP Legal Defense and Educational Fund, Inc. (LDF), Osiris Coalition, SB Strategies, LLC, SCOPE/AGENDA, Southern Christian Leadership Conference (SCLC), WARD Economic Development Corporation, Watts Labor Community Action Council, and West Angeles COGIC Community Development Corporation.

² AARC has sponsored, conducted and/or participated in community education workshops and redistricting forums in Oakland, Sacramento, San Bernardino, San Diego, San Francisco and throughout South Los Angeles.

with other significant community-based groups in this process to discuss the best ways to apply governing mapping principles and find joint areas of concern in developing our district plans.³

After these extended discussions, and with due consideration of applicable state and federal law, AARC appointed a team of redistricting experts to craft a district plan that reflected the collective sense of what our membership desired in key parts of the state.

AARC respectfully presents this report on its district proposal, which focuses on regions of California that AARC has identified as key areas of interest. There are three areas emphasized in this report: (1) South Los Angeles, (2) East Bay/Alameda County, and (3) the Inland Empire. Where applicable, we offer district maps for three levels of government (California Assembly & Senate, along with U.S. Congress). This report addresses the highlights of our preferred configuration in narrative form, including select references to the supporting statistical summaries of the districts.⁴

General Summary & Statement of Goals

African Americans in California remain an important share of the state's growing non-white population. A brief review of aggregate changes makes this point apparent. According to the 2010 Census, African Americans are roughly 6.2% of the total state population of 37,253,956. The African American share of the total population is slightly less than the 6.7% they represented after the 2000 Census, but that number represents a very small change compared to the dramatic reduction in the size of the white population in California.

The statewide trend for African Americans is not as robust as comparable measures for the Asian Pacific Islander and Latino communities,⁵ but the African American population remains geographically situated largely in two urban core areas—South Los Angeles and Oakland. To a lesser degree, relatively newer populations have continued to grow in areas of the Inland Empire (San Bernardino and Riverside Counties). These locations might be considered “exurbs” of urban core areas.

The geographic concentration of African Americans in California has been salient in the effort to elect African American preferred candidates at all relevant levels of political office. The Assembly districts with the highest levels of African American concentration are: AD's 47, 48, 51, and 52 (in South LA) along with AD's 9, 16, and 62 in other regions of the state (including the East Bay, Sacramento, and the Inland Empire). All of these districts have successfully elected preferred candidates for the Assembly. Two California Senate districts (SD's 25 and 26 in South LA) with significant African American concentrations have also elected candidates preferred by the community as well. Finally, in Congress, the communities

³These groups include, but are not limited to, MALDEF and APALC.

⁴AARC hereby endorses the proposal from the Inland Empire African American Redistricting Coalition, which is a plan to establish a new African American influence district in San Bernardino County. For the sake of brevity, we will not discuss details of that district in the report in great detail.

⁵For the sake of consistency, we employ the term “Latino” throughout this document to refer to the various ethnic groups collectively defined as “Hispanic” by the 2010 Census. Thus, all statistical references to “Latino” refer to the official census category of “Hispanic Persons.” Further, the statistical references to “African American”, “White”, and “Asian American” references all refer to the “Non-Hispanic” subsets of each of these groups as they are defined in the 2010 Census.

located in CD's 9 (Oakland), 33, 35, and 37 (all in South LA) have produced successful candidates who have been preferred by African American voters.⁶

The background information that is cited above is not intended to address any of the legally prohibited subjects related to a particular incumbent or a political party. Rather, we believe that the effectiveness of African American communities in these districts is a key factor that must be weighed heavily in any effort to redraw the maps in California. The effectiveness of this configuration of districts is important to bear in mind for three particular reasons.

First, we find that federal law demands attention to the extent that protected groups statewide are exercising the political franchise effectively. The current performance of districts in California represents an important baseline to assess possible changes. Section 5 of the Voting Rights Act requires the Commission to demonstrate that any final change in the district map configuration does not cause "retrogression" with respect to protected racial groups.⁷ The Commission may address a variety of factors in defending its decisions, but the election of preferred candidates is a core element in any such showing.⁸ Accordingly, we contend that the electoral effectiveness in the aforementioned districts ought to influence the way the Commission draws lines in these areas.

Second, the manifest electoral effectiveness also suggests that traditional voting rights configurations are inapt in this context.⁹ Where past elections indicate robust participation and the effectual exercise of the franchise, remedies like majority-control districts are unnecessary. In practice, districts with effective representation for legally protected groups with sub-majority margins (i.e., less than 50% of voters) need not be refashioned as electoral majorities. Indeed, efforts to impose such changes (especially against the expressed desires of the African American communities in these areas) would invite voting rights challenges related to "packing". Accordingly, the Commission should reject all arguments and interpretations of Section 2 that ignore the demonstrated effectiveness of these communities to elect candidates of choice.

Finally, the proven political effectiveness of these districts is relevant because it is probative evidence on an important state law issue. This record provides great support for the case that many of the neighborhoods, as currently designed, form an important community of

⁶ In all of these effective districts, the African American share of the total population ranges between 23 and 30% of the total number of voters. Unlike other states, where differentials and age and participation among racial groups tend to reduce the functional political influence of African Americans, California is a distinct political setting in which rates of participation and organization tends to improve African American standing in the political arena relative to other groups. When one accounts for other measures, (e.g., voting age population and citizen voting age population) African Americans in these California districts represent a solid though not majority bloc of the active voters in these constituencies.

⁷ The current test for retrogression centers on whether the change causes a loss in a relevant group's ability to effectively exercise the political franchise.

⁸ It is important to note that while Section 5 of the VRA covers only select counties in California, it is our view that a full preclearance review will address the overall status of all protected groups throughout the state with respect to changes in the ability to exercise of power. See 28 C.F.R. Ch. I §§ 51.57, 51.59.

⁹ AARC firmly believes that Section 2 of the Voting Rights Act is an important tool for enforcing the political rights of racial minorities. But we also believe that this enforcement remedy should only be employed where they are necessary. Here, the elections in the current configurations show that African Americans are successful in promoting their preferred candidates, in conjunction with other groups. Whether one defines these districts as "influence" or "coalition" districts, the configurations are effective platforms for exercising the political franchise.

interest. Pursuant to Proposition 11, California law mandates that district lines show regard to communities of interest. While we know of no controlling definition of this concept in existing law, we would respectfully submit that a community of interest refers to an identifiable set of people who have a common set of experiences or interests that also inhabit a specific geographic area. Drastic changes to existing districts with a community of interest should be taken only with the utmost care.¹⁰

The evidence reveals multiple social and cultural reasons that neighborhoods and institutions in AARC's areas of interest ought to be recognized as communities of interest. But the clearest indication that these communities fit just about any definition is their proven record of working effectively in the political arena. The fact that Californians in these existing districts commonly agree on preferred candidates and also organize in candidate and non-candidate campaigns is exceedingly strong evidence of their civic relationship to each other. Accordingly, efforts and proposals to seriously rework or dismantle these existing, effective communities should be approached with great caution.

With these thoughts in mind, AARC has pursued an overall strategy of maintaining the basic configurations of districts in its areas of emphasis. These districts comply with the directives outlined in the Commission's guidelines. The district lines meet norms of compactness and also do not create any places of point contiguity. We recognize the need in some areas of interest to increase population in order to meet the population equality standard. However, we maintain that this task can be accomplished without destroying the existing cores of communities. We have adhered to a minimal level of population deviation but have established ways of either preserving or (in some cases) establishing districts where African American communities may exercise influence in political contests.

The sections that follow, focusing on each area of concern for AARC, offer a more detailed look at the districts that we have proposed. Where helpful, we have reported statistical information about district profiles using Citizen Voting Age population (CVAP).¹¹

A. South Los Angeles

For decades, South Los Angeles has been the focal point for the most significant political activity by the African American community in the State of California. Historically, African Americans from the Deep South frequently relocated to the neighborhoods of South LA in search of a more hospitable economic and social climate. These core communities that have grown and flourished in this part of Los Angeles continue to form an identifiable center for organization that links African American residents of varied social and economic classes by their shared racial and cultural heritage.

Largely African American neighborhoods that have long defined this area of the city include Crenshaw, Leimert Park, Baldwin Hills in the north, as well as Carson, Torrance and Compton to

¹⁰ Indeed, we believe that such changes could raise the possibility of a voting rights lawsuit alleging vote dilution of African American political power.

¹¹ Additional details on the district proposal, including supporting statistical data, is located in the appendices.

the south. The area is also anchored by the large concentration of the country's largest African American centered churches (including AARC member organizations West Angeles COGIC and First AME Church). Further, the Crenshaw and Inglewood neighborhoods are the sites of some of the most significant commercial enterprises (barber shops, hair salons, and media outlets) that are both owned and patronized by African Americans throughout the city.

In short, South LA is an integral part of the political, cultural and economic imprint of African Americans on the state's largest city. While its demographics have grown more racially complex, with the influx of Latino and Asian American residents, this area nevertheless continues to be one of the main anchors for forming electoral coalitions that determine the outcome of city and county elections.

The existing neighborhoods of South LA-- largely lying to the south of the 10 Freeway and to the west of the 110 Freeway – are represented by four assembly districts in which African Americans represent approximately 30% of the entire population (slightly higher, taking CVAP into account), two state senate districts (SD's 25 and 26), and three Congressional districts (CD's 33, 35, and 37). All of these districts were under-populated following the 2010 Census. Accordingly, the major question for the Commission is how to account for the lost population in any new district map.

AARC's proposed map preserves the existing cores of these districts by expanding into new, but related territory in order to equalize populations. We believe that this strategy is warranted for two important reasons. First, the effectiveness of these districts with African American influence can hardly be questioned. With its numerous organizing institutions and existing political representation, South LA is the undisputed foundation for African American political effectiveness in the state. Some might favor the alternative approach of consolidating districts in this area to create majorities of African Americans; however, the current level of political effectiveness with less robust African American margins indicates that such a change is unnecessary.¹²

Second, utilizing the territory to the west and north of the existing South LA districts is appropriate given current demographic trends. As mentioned above, the population decline among white residents of California is a significant subplot within the overall narrative of growth in the state; this negative trend is evident in the western portions of Los Angeles that have lost residents during the last decade.¹³ Consolidating part of the western coastal area into fewer districts would be one reasonable way of equalizing numbers than dismantling the established and politically salient neighborhoods that form the core of the South LA districts.

Our proposal accomplishes the goal of preserving the core of South LA districts while maintaining compact districts that also comply with the mandate to respect communities of interest. Further, the population deviation for these districts remains well under 1%. The new

¹² Indeed, it may prove an ill-considered one as a legal matter. Any decision to eliminate or existing districts with demonstrated effectiveness of reflecting the preferences of African Americans may raise difficult Section 2 problems concerning racial vote dilution.

¹³ For example, the population decreases in existing AD 53 (which combines the area along the Pacific Coast, from Santa Monica to Torrance) rivals the under-population in the existing South LA districts.

AD 47 expands slightly westward to take in more parts of Culver City and other territory that is currently part of existing District 53. The new AD 48 (which maintains the area in and around the USC campus as one of its anchors) grows laterally, adding on its northern border the neighborhoods adjacent to the east of AD 47 and then runs toward Walnut Park and South Gate. In, AD 51 the existing areas in Inglewood and Gardena are now expanded to the southeast to include Carson, which is part of a corridor joined by the 110 Freeway. In similar fashion, AD 52 moves to the southeast to incorporate neighborhoods located near Lakewood and Cypress Gardens (part of the region that is in the current AD 55).¹⁴

These proposed assembly districts are compact enough to nest quite into proposed SD's 25 and 26, which largely follow the broad contours of the area described above for the assembly districts. Similarly, the contours of the proposed Congressional districts (CD's 33, 35, and 37) preserve the cores of the existing South LA districts while expanding slightly northward and westward to pick up additional neighborhoods immediately adjacent to the existing core.

The changes that we propose will result in the following resulting district profiles, which largely maintain the level of African American influence that currently exists in South LA:

Assembly District	Population	Deviation (%)	Latino CVAP (%)	White CVAP (%)	AA CVAP (%)	API CVAP (%)
47	463,039	-0.6	19.9	31.1	38.1	8.5
48	464,097	-0.3	43.1	5.9	47.5	2.1
51	466,134	0.1	30.3	17.9	35.8	12.9
52	460,589	-1.1	34.0	22.3	33.4	7.3

**The White, AA, and API CVAP percentages all refer to the figure for non-Latino persons, as defined in the 2010 Census.*

Senate District	Population	Deviation (%)	Latino CVAP (%)	White CVAP (%)	AA CVAP (%)	API CVAP (%)
25	926,723	-0.5	32.1	20.0	34.7	10.3
26	927,136	-0.5	28.9	21.3	41.8	6.0

**The White, AA, and API CVAP percentages all refer to the figure for non-Hispanic persons, as defined in the 2101 Census.*

Congressional District	Population	Deviation	Latino CVAP (%)	White CVAP (%)	AA CVAP (%)	API CVAP (%)
33	702,905	0	19.4	34.9	31.8	11.7
35	702,905	0	31.9	17.1	42.2	7.0
37	702,904	1	32.8	23.8	27.5	12.3

**The White, AA, and API CVAP percentages all refer to the figure for non-Latino persons, as defined in the 2010 Census.*

B. East Bay/Alameda County

¹⁴ Importantly, these district changes do not greatly encroach on the core neighborhoods located in surrounding areas that help to assure the political representation and effectiveness of the Latino community.

Like South LA has influenced the Southland, the East Bay has been northern California's hub of African American political and cultural activity. Since the late 1960s, Oakland has been the primary center for this concentration. Oakland was among the first major cities to elect an African American (a preferred candidate) as its mayor, and the local political representation for the city reflects the success of organizing and participation in these communities.

The myriad of indicia showing the influence of African Americans in Oakland largely mirrors the story with South Los Angeles. One can identify numerous local businesses, religious institutions (including the Love Center and Allen Temple Baptist Church), and civic organizations that serve the African American community and frequently run social outreach programs in the city. The neighborhoods of Oakland also have been an important building block for social and political activism in the Bay Area since the days of Vietnam-era civil protest; importantly, the residents of the corridor connecting Oakland and Berkeley have often found common cause on issues of racial equity and economic justice.

This part of California (including Berkeley and Richmond in the north and flowing south through San Leandro and Hayward) currently takes up some of the assembly districts with relatively minor population deviation. For instance, AD 11 is only under the ideal size by about 7,000 voters (relatively minimal difference), and AD 8 (located just to the north of current AD 11) exceeds the ideal size by about 5,000 voters. However, the geographic area of greatest substantive interest for the African American community lies in AD 16, which is currently about 10% below the ideal population for a new district.

Our proposal is to achieve compliance with the equal population standard by maintaining an Oakland-based assembly district (AD 16) with a total population of 466,274 persons (0.1% deviation). Each of the major racial groups in this district would range between 21 and 28% of the Voting age population; African Americans would represent 25.15% of all persons in the revised district over the age of 18. After due consideration, AARC proposes to reconfigure AD 16 to join the neighborhoods located in Albany, Berkeley and Emeryville with Oakland. This change would incorporate three adjacent communities that share important historical, social, and political ties with the residents of Oakland.

The expanded version of AD 16 would not only reflect shared patterns of behavior in a political sense; it would also reflect the daily practices of the people who live there. The residents of this area frequently commute within the district's boundaries for work and entertainment purposes; indeed, surface streets that connect this area are lined with commercial interests that barely note the difference between the jurisdictions. The district plan complies with the principles of compactness; its contours largely follow the existing "bayshore" configuration of the current AD 16, which hugs the 880/80 Freeways (a common transportation route for residents in this area).

AARC also supports the minor adjustment of the existing East Bay congressional district with its anchor in Oakland as well. Our proposed map establishes CD 9 to achieve a total population of 702,904 (zero deviation), which secures the continued level of political influence that African American communities have exercised in past elections for Congress. The details of this proposed district follow:

Congressional District	Population	Deviation	Latino CVAP (%)	White CVAP (%)	AA CVAP (%)	API CVAP (%)
9	702,904	0	11.4	44.4	25.6	15.2

**The White, AA, and API CVAP percentages all refer to the figure for non-Latino persons, as defined in the 2010 Census.*

C. Inland Empire (AD 62, SD 32, CD 43)

The final, located in San Bernardino and Riverside Counties, has witnessed some of the state’s most significant growth during the last decade. Accordingly, line drawing for districts in this area was fairly easy to accomplish; taken as a whole, the territory exceeds an ideal district population by a total of about 200,000 persons (roughly half the size of an ideal assembly district population).

The area of emphasis currently comprises two assembly districts: AD 61 (a significantly African American population) and 62 (with approaches a majority of Latino voters). District 63, with about a 45% nonwhite CVAP (about 10% of African Americans are there) moves eastward and covers Redlands. In Riverside County’s Moreno Valley to the south are the remaining three “north-south oriented” districts with similar demographic profiles. African Americans range between 7-9% of the CVAP in each of them and the overall non-white CVAP falls between 35-37%. Districts 64 and 65 divide the African American concentration in the Moreno Valley; meanwhile, District 66 extends its borders well into the northern part of San Diego County.

AARC would recommend that the Commission consider a district that reflects the role that African Americans have played in contributing to the growth in the Inland Empire. While not as heavily concentrated as the population in South LA, the African American residents in this area do share a common set of interests that are not especially well reflected in the way districts are currently designed. In community meetings, some members have expressed an interest in an assembly district that consolidates what some call “The Ebony Triangle” – which includes neighborhoods lying between the 10, 15, and 215 freeways. Major hubs of the district include Colton, San Bernardino, and Rialto.

Conclusion

AARC sincerely appreciates the opportunity to provide substantive input in the Commission’s proceeding. We are hopeful that this report provides a helpful roadmap that the Commission may employ in the consideration of district plans. While we recognize that this is one part of a prolonged and complex process of designing new maps for California, we sincerely hope that the ideas contained here are carefully reviewed before line drawers approach the areas of interest to AARC. Our maps show that maintaining the political influence of our communities can be accomplished in a way that also complies with the Commission’s stated goals. We are available to answer any questions that members or staffers may have about this proposal.