

AARC-CAPAFR-MALDEF Unity Response Assembly Plan Submitted on June 28, 2011 Plan Summary

Introduction

This statewide plan for proposed Assembly districts is submitted to the Citizens Redistricting Commission as a “unity” plan by three nonpartisan entities:

- African American Redistricting Collaborative (AARC);
- Coalition of Asian Pacific Americans for Fair Redistricting (CAPAFR), with support and assistance provided by the Asian Pacific American Legal Center (APALC); and
- Mexican American Legal Defense and Educational Fund (MALDEF).

This unity plan responds to the Commission’s draft Assembly plan released on June 10, 2011 and uses the Commission’s draft as a starting point. The unity response plan makes modifications to the Commission’s draft where necessary to draw districts potentially required by Section 2 of the Voting Rights Act (VRA) and unify neighborhoods and communities of interest split in the Commission’s draft. The plan also makes modifications to districts in the Commission’s draft that are over 1% population deviation to bring those districts within 1% deviation.

Compliance with Voters First Act’s Redistricting Criteria

The unity plan is drawn to comply with the redistricting criteria set forth in the Voters First Act. Set forth below is information about the plan’s compliance with three criteria in particular: population equality; VRA compliance; and geographic integrity of cities, counties, communities of interest and neighborhoods.

Population Equality

All districts contained in the unity response plan are within 1% deviation from the ideal population size of 465,674 persons per Assembly district. The Commission’s June 10 draft contained a number of districts above 1% deviation and significant adjustments were made to the Commission’s June 10 draft to bring deviations within 1%.¹ The plan’s maximum population deviation is 1.96%.²

¹ While all districts in the plan are within 1% deviation from ideal size, the three entities submitting this unity response plan do not concede that the U.S. or California Constitutions necessarily limit California legislative districts to a deviation of only 1% and believe that new language added to the California Constitution by the Voters First Act leaves the question of whether greater deviations are permissible open to interpretation by the Commission.

² Maximum population deviation is defined as the sum of the percentage deviation of the most populated district in the plan and the percentage deviation of the least populated district in the plan.

Compliance with Federal Voting Rights Act

As required by both the Voters First Act and federal supremacy principles, the unity plan gives priority to drawing districts that are potentially required by Section 2 of the VRA and that avoid retrogression under Section 5 of the VRA.

The plan includes one district in which Asian Americans make up at least 50% of citizen voting-age population (CVAP), which is Unity District LAWSG at 50.01% Asian American CVAP.

The plan avoids the dismantling of districts that currently provide African Americans with an effective opportunity to elect preferred candidates and maintains these opportunities in Unity Districts LAWBC, LAIHG, LAWSC and LAFLO by preserving traditional levels of African American CVAP in those districts, as shown in the chart below.

Current District	Percent BCVP	Proposed District	Percent BCVP
AD 47	32.9%	LAWSC	35.0%
AD 48	46.6%	LAFLO	42.8%
AD 51	38.4%	LAIHG	40.3%
AD 52	42.2%	LAWBC	37.0%

The plan includes 15 districts in which Latinos make up at least 50% of CVAP:

Proposed District	Percent LCVAP
LADNN	64.5%
LAPRW	64.1%
LASGL	58.6%
LADNT	52.9%
SNANA	52.6%
LASFE	52.4%
BKRTL	52.3%
SSAND	50.8%
LACVN	50.8%
POMVL	50.5%
IMPRV	50.3%
RLTFO	50.2%
MTRMV	50.1%
FSEC2	50.0%
LAELA	50.0%

The unity plan also seeks to comply with Section 5 and avoid retrogression of protected minority voters by ensuring that their ability to elect preferred candidates is not diminished. The following table shows voting-age population (VAP) and CVAP figures in proposed districts containing all or portions of Section 5-covered counties.

Section 5 Covered District	Benchmark District ³		Proposed District ³	
	% Latino VAP	% Latino CVAP	% Latino VAP	% Latino CVAP
WMONT	19.9%	12.4%	19.6%	12.4%
MONT	60.9%	44.2%	63.1%	45.2%
KINGS ⁴	68.8%	47.0%	59.4%	45.4%
MRCED	47.0%	35.0%	48.6%	35.2%
YUBA	11.7%	8.1%	18.6%	11.1%

Geographic Integrity of Cities, Counties, Communities of Interest and Neighborhoods

The unity plan keeps together numerous communities of interest, as described in the narrative accompanying each regional map.

The unity plan splits 30 of 58 counties and 76 of 1,506 incorporated cities and census designated places.

Contents of Plan Submission

In addition to this plan summary, the unity plan submission contains the following:

- Block equivalency files;
- Shape files;
- 24 regional maps showing the plan’s 80 proposed districts;
- Regional narratives accompanying the regional maps;
- Tables showing deviation, total population, VAP and CVAP figures for each district; and
- Reports of county and city splits.

³ Voting age and citizen voting age percentages are presented here for Latinos in light of the demographics of California’s Section 5-covered counties and because the standard for retrogression in the redistricting context is tied to the protected minority group’s ability to elect preferred candidates. The three entities submitting this unity response plan do not believe that the plan retrogresses the ability of Asian Americans and African Americans to elect preferred candidates of choice.

⁴ Although VAP and CVAP figures, as well as total population and voter registration figures, are useful tools in assessing whether a proposed plan would result in retrogression, the retrogression analysis ultimately involves more than a simple reliance on predetermined or fixed demographic percentages. A proposed redistricting plan is considered retrogressive if its net effect would be to reduce the ability of protected minority groups to elect candidates of choice. Here, despite the slight drop in Latino VAP and CVAP in Unity District KINGS, the net effect of the plan would not be to result in retrogression of Latinos. Based on MALDEF’s analysis, the three entities submitting the plan believe that Latinos in Unity District KINGS would not suffer a diminished ability to elect preferred candidates. Additionally, the slight reduction in these figures allows for the creation of a potential Section 2 district in the adjacent BKRTL district. Because this district would provide Central Valley Latinos who face patterns of racially polarized voting with additional opportunities to elect candidates of choice, the net effect of the unity plan would be to enhance electoral opportunities for Latinos.