MALDEF

California Statewide Redistricting Plans

State Senate

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Mexican American Legal   
Defense and Educational Fund

Submitted to the California Citizens Redistricting Commission  
Los Angeles, California  
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Please see separate file attachment “CCRC\_MALDEFSDPresentation\_Nov2021.ppt” for maps and narratives of key districts of interest.

Please see the separate attachment “CCRC\_MALDEFSDPresentation\_Nov2021\_Nesting.ppt” for maps of all MALDEF Senate districts, with their MALDEF Assembly District overlays.

# Executive Summary

The statewide redistricting process that occurs after the decennial Census is an opportunity to examine questions of fair representation, inclusiveness, and political empowerment. Redistricting is an essential element of our democracy, a value that MALDEF works to promote. This will be MALDEF’s 6th redistricting cycle.

MALDEF submits one statewide redistricting plan for State Senate for consideration by the California Citizens Redistricting Commission. This configuration works to satisfy the following criteria, in order of priority, compliance with the United States Constitution, the Federal Voting Rights Act of 1965, and the California Constitution, and focus on keeping communities of interest together to the greatest extent practicable.

MALDEF's community of interest choices were informed by three sources: MALDEF’s community outreach and education efforts, collaboration with other civil rights and civic engagement groups, and public testimony submitted to the California Citizens Redistricting Commission (CCRC).

Further, this plan is nearly a pure nest of the MALDEF Assembly Plan, submitted to the CCRC on October 11, 2021.

The attached plan as submitted is a reasonable, fair, equitable, and legally defensible picture of electoral districts that fully comply with redistricting criteria mandated by Federal and State law. This assessment is based on MALDEF's over 50 years of redistricting experience, knowledge of the law, and information from the community.

This redistricting plan complies with the following redistricting criteria as required by state and federal law:

This redistricting plan contain the following deviations:

The State Senate redistricting plan contains a total overall deviation of 62,252 (-30,551 to +31,701) persons and a deviation range of 6.3% (-3.09% to +3.21%), in compliance with the equal population requirement of the United States Constitution.

This plan fully complies with Section 2 of the Federal Voting Rights Act, as it does not dilute minority voting strength.

This plan does not elevate race above other traditional redistricting criteria.

This plan creates districts that are contiguous.

This plan respects political subdivisions by avoiding, to the extent practicable the splitting of counties and cities except to comply with the rules of equal population and the Voting Rights Act.

This plan respects communities of interest, based on information gathered by MALDEF community outreach and education meetings, collaborations with other civil rights and civic engagement groups, and testimony heard at CCRC public input meetings.[[1]](#footnote-1)

This plan respects nesting as it is based on a nest of the MALDEF Assembly plan, submitted to the California Citizens Redistricting Commission on October 11, 2021. Much of the plan contains pure assembly district nests.[[2]](#footnote-2)

# About MALDEF

## Mission Statement

Founded in 1968, MALDEF is the nation’s leading Latino legal civil rights organization.  Often described as the “law firm of the Latino community,” MALDEF promotes social change through advocacy, communications, community education, and litigation in the areas of education, employment, immigrant rights, and political access.

## About MALDEF and Past Redistricting Work

In 1968, out of a national and multi-racial civil rights movement, Latino community leaders created an organization to protect the constitutional rights of the Latino community. With the support of the NAACP Legal Defense Fund, they founded the Mexican American Legal Defense and Educational Fund (MALDEF). MALDEF quickly gained recognition as the “law firm of the Latino community”. Throughout our 53-year history, MALDEF has promoted social change through advocacy, communications, community education, and impact litigation in the areas of education, employment, immigrant rights, and political access.

MALDEF’s expertise in advancing Latino redistricting equity is singular. In MALDEF’s first redistricting decade, following the 1970 Census, MALDEF secured an historic ruling from the U.S. Supreme Court in *White v. Regester*, striking down a discriminatory multi member districting plan for the Texas House of Representatives and leading to the creation of the first Latino-majority Texas House districts in Bexar County. Following the 1980 Census, MALDEF expanded its redistricting work beyond achieving greater political opportunity for Latinos in Texas. For example, in *Valle v. State Board of Elections of the State of Illinois* and in *Velasco v. Byrne*, MALDEF successfully challenged the Chicago ward redistricting and the Illinois legislative redistricting plans, respectively. MALDEF’s litigation led to the creation of the first Latino majority wards and state legislative districts in Illinois.  Similarly, in 1989, in *Garza v. County of Los Angeles*, MALDEF successfully challenged Los Angeles County’s supervisorial districts as intentionally discriminatory against Latinos and secured the first Latino-majority supervisorial district in Los Angeles County.  The U.S. Attorney General praised this litigation as “a victory against discrimination in the most important role citizens play in our democracy: the right to vote in free and fair elections in districts drawn without bias.”

Following the 2000 Census, MALDEF brought highly publicized litigation, *Cano v.  Davis*, arguing Latino vote dilution in redistricting of congressional districts in California’s San Fernando Valley and San Diego city. This was the only federal litigation challenging California’s 2001 redistricting exercise. Although the three-judge district court denied relief, impeding a re-drawing of the congressional district lines for that decade, MALDEF’s educational outreach efforts and litigation deterred and will continue to deter similar attempts at Latino vote dilution in Los Angeles County and in redistricting elsewhere. In 2006, MALDEF secured another landmark redistricting victory in the U.S. Supreme Court in the *LULAC v. Perry* case out of Texas. In MALDEF’s Latino vote-dilution challenge to the 2003 Texas congressional redistricting plan, the Supreme Court ruled for the first time that the rights of Latino voters under Section 2 of the Voting Rights Act of 1965 had been violated. The New York Times hailed MALDEF’s litigation as the most important voting rights case of the decade. (June 28, 2006).

In 2017, MALDEF successfully challenged under Section 2 of the Voting Rights Act of 1965 the use of racially gerrymandered district boundaries for the election of the Board of Supervisors in Kern County, California. The lawsuit, *Luna v. County of Kern*, marked the first challenge to a California jurisdiction for violating the federal Voting Rights Act since 2001. This past decade, MALDEF also pursued another successful challenge to Texas statewide redistricting; that case took eight years and went to the U.S. Supreme Court twice, with MALDEF achieving the most significant victories out of many prevailing plaintiffs.

MALDEF is headquartered in Los Angeles and operates regional and program offices in Atlanta, Chicago, Los Angeles, Sacramento, San Antonio, and Washington, D.C. Since August 2009, MALDEF has been led by President and General Counsel Thomas Saenz.

More information on MALDEF is available at www.maldef.org.

## MALDEF’s 2021 Redistricting Efforts

In 2021, MALDEF is conducting its largest redistricting effort in its over 50-year history.  MALDEF is currently conducting redistricting efforts at either the statewide or local level in states such as California, Arizona, Nevada, Texas, New Mexico, Colorado, Illinois, Indiana, Wisconsin, Virginia, Georgia, Florida, and more. This national program is led by MALDEF’s President and General Counsel Thomas Saenz, Vice President of Litigation Nina Perales, and National Redistricting Coordinator Steven Ochoa. MALDEF's California efforts were executed Western Redistricting Coordinators Mayra Valadez and Kathy Ramirez and supported by National Redistricting Program Assistant Gabriel Lizardo.

MALDEF's California Redistricting program consists of two primary phases. The first phase is the community education and outreach conducted from June through August, and the second phase is advocacy efforts as presented through these redistricting plan proposals, which were informed by the outreach experience and are submitted today for consideration to the California Citizens Redistricting Commission.

# Community Education and Outreach Description

From June through August 2021, MALDEF conducted 16 community education and outreach sessions throughout California, reaching more than 242 participants. The objectives of MALDEF’s redistricting workshops were to provide civic education and encourage Californians to participate in the redistricting process. Workshops were held in areas with large Latino communities.

MALDEF partnered with nonprofit organizations that were also working in areas with large Latino communities and providing education on the redistricting process. The National Association of Latino Elected and Officials (NALEO) Educational Fund was a key partner and co-hosted all 16 workshops. Other partners included the Santa Paula Latino Town Hall, Mixteco Indigena Community Organizing Project (MICOP),Coastal Alliance United for a Sustainable Economy (CAUSE), San Benito County LULAC, Central Valley Immigrant Integration Collaborative (CVIIC) – Fresno County and Bakersfield city and Modesto City, Strength Based Community Change (SBCC) in San Gabriel Valley and El Monte, South LA, San Fernando Valley and Antelope Valley, AltaMed, Re-Imagine Our Community (ROC) Coalition in the High Desert, LULAC Riverside and Inland Equity Partnership, Latino and Latina Roundtable in Pomona Valley, COFEM Coachella Valley, Orange County Communities Organized for Responsible Development (OCCORD), and Universidad Popular California in San Diego[[3]](#footnote-3).

The workshop curriculum included redistricting and fundamentals, such as equal population, the importance of the Voting Rights Act (VRA), and communities of interest.  Workshop attendees also learned about California’s redistricting process, including the redistricting criteria and timeline of the California Citizens Redistricting Commission. At the conclusion of each presentation, participants were also given the opportunity to break out into rooms to discuss their communities of interests with other community members.

MALDEF provided the groups with community map exercises to assist them in identifying their communities of interest. MALDEF led an exercise where each group had to identify communities of interest, established its boundaries, gathered demographic statistics for their respective community of interests, and established important community networks. The discussion and training provided community members a rough outline of their community of interest testimonies. Community members were encouraged to continue developing their testimonies and to provide their comments and input to the Redistricting Commission through the public hearing process, written testimony, and the *DrawMyCommunity* tool.

MALDEF and its key partner, NALEO Educational Fund, followed up with participants after the workshops. MALDEF compiled the various communities of interests from the maps and worksheets that participants marked up over the 16 workshops conducted June through August. NALEO Educational Fund, as part of its program did more personal follow up with participants, encouraging individuals to attend public hearings and provide testimony to the Commission and continued gathering more community of interest information. NALEO Educational Fund provided MALDEF with greater details on the community of interests that individuals were submitting to the Redistricting Commission and helped inform MALDEF's map drawing efforts.

In addition to providing education about redistricting, MALDEF and the NALEO Educational Fund provided additional support to workshop attendees as community members prepared to participate in California's redistricting process. MALDEF and NALEO Educational Fund provided assistance on testimony structure, demographic data of their community of interest, and information on the California Citizens Redistricting Commission (CCRC) public input hearing calendar and meeting locations and how to submit testimony in writing or through the *DrawMyCommunity* tool.

Below is a complete list of MALDEF’s co-sponsored community education and virtual outreach workshops conducted for the 2021 California redistricting process via Zoom, including sponsorship partners:

June 12, 2021 - San Bernardino, High Desert

Region: I - Inland Empire

Partner: NALEO Educational Fund & Re-Imagine Our Community (ROC) Coalition

June 29, 2021 - Fresno County

Region: F - Central Valley

Partner: NALEO Educational Fund & Central Valley Immigrant Integration Collaborative (CVIIC)

July 8, 2021 - Ventura County

Region: E - Central Coast

Partner: NALEO Educational Fund & Santa Paula Town Hall

July 14, 2021 - San Gabriel Valley

Region: H - LA County

Partner: NALEO Educational Fund & Strength Based Community Change (SBCC)

July 16, 2021 - Riverside County

Region: I - Inland Empire

Partner: NALEO Educational Fund & LULAC Riverside/Inland Equity Partnership

July 19, 2021 - LA Metro

Region: H - Los Angeles County

Partner: NALEO Educational Fund & Strength Based Community Change (SBCC)

July 28, 2021 - San Fernando Valley/Antelope Valley

Region: H - Los Angeles County

Partner: NALEO Educational Fund & Strength Based Community Change (SBCC)

July 29, 2021 - San Diego County

Region: K - San Diego County

Partner: NALEO Educational Fund & Universidad Popular California

August 2, 2021 - Los Angeles County, Southeast Cities

Region: H - Los Angeles County

Partner: NALEO Educational Fund & AltaMed

August 5, 2021- Kern & Stanislaus Counties

Region: F - Central Valley

Partner: NALEO Educational Fund & Central Valley Immigrant Integration Collaborative (CVIIC)

August 6, 2021 - Pomona Valley

Region: I - Inland Empire

Partner: NALEO Educational Fund & Latino-Latina Roundtable

August 12, 2021 - Coachella Valley

Region: I - Inland Empire

Partner: NALEO Educational Fund & COFEM

August 13, 2021 - Ventura & Santa Barbara Counties

Region: E - Central Coast

Partner: NALEO Educational Fund & Mixteco Indigena Community Organizing Project (MICOP)

August 14, 2021 - Monterey & San Benito County

Region: E - Central Coast

Partner: NALEO Educational Fund & San Benito County LULAC

August 16, 2021 - Anaheim & Santa Ana Cities

Region: J - Orange County

Partner: NALEO Educational Fund & Universidad Popular California

August 19, 2021 - San Diego County

Region: K - San Diego County

Partner: NALEO Educational Fund & Universidad Popular California

# Statement of Use of Redistricting Criteria

MALDEF ensured that each of the districts in the accompanying redistricting plan comply with the ranked redistricting criteria outlined by California Proposition 11 passed in November 2008 and California Proposition 20 passed in 2010.

Compliance with the U.S. Constitution: One Person, One Vote[[4]](#footnote-4)

These plans are in compliance with the one person, one vote rule in Article 1, Section 2 of the United States Constitution.

The State Assembly districts presented contain an overall deviation range of 62,252 (-30,551 to +31,701) persons and a deviation range of 6.3% (-3.09% to +3.21%).

Compliance with the Federal Voting Rights Act[[5]](#footnote-5)

The MALDEF Plan contains several districts that contain legally protectable communities under Section 2 of the Federal Voting Rights Act. MALDEF evaluated evidence as to these districts’ satisfaction of the three prongs of *Thornburg v Gingles,* as well as other factors that help the courts in evaluating whether a plan illegally dilutes minority voting strength. Please *See* the Section "*Statement of Voting Rights Act Compliance*" for a detailed, per district description of Voting Rights Act compliance.

Contiguity

The districts in this plan are contiguous.

Preservation of Communities of Interest, Cities, and Counties

The MALDEF plan respects communities of interest and incorporates both quantitative and qualitative data in determining whether residents of a district might be fairly and effectively represented. MALDEF conducted over a dozen workshops where local residents shared their unique knowledge about their community and their similarities and differences with neighboring communities. In addition, demographic and socioeconomic information reported by U.S. Census Bureau, including information on income, linguistic isolation, housing, educational attainment, unemployment, were also used as guides to reasonably group communities within the newly shaped districts[[6]](#footnote-6). MALDEF also received community of interest information from other civil rights and civic engagement groups working around California, such as NALEO Educational Fund, Asian Americans Advancing Justice, the Black Census and Redistricting Hub, California Environmental Voters, Orange County Civic Engagement Table (OCCET), the Inland Empire Alliance, and the Coastal Alliance United for a Sustainable Economy (CAUSE). MALDEF staff observed CCRC public input hearings listening to additional testimony about different areas of California.[[7]](#footnote-7) MALDEF Staff also reviewed COI submissions and public input available using the AirTable tool.

This plan also respects political subdivision boundaries to the extent possible after compliance with the one person, one vote constitutional requirement and the Federal Voting Rights Act.

Broadly, the MALDEF plan also strives to respect the integrity of California’s basic geographic regions (coastal, mountain, desert, central valley, and intermediate valley regions), to the extent possible after compliance with one person, one vote constitutional requirement and the Federal Voting Rights Act.

MALDEF did not use partisanship, relationships to elected officials or relationships to candidates for public office to identify communities of interest. Nor did it use partisan data as a basis for redistricting and only reviewed such information to examine proposed districts for compliance with the Federal Voting Rights Act.

Compactness

The districts in these plans are as compact as higher ranked criteria allow. MALDEF acknowledges that there is not a standard measure of compactness.

Nesting

This plan is nearly a pure nest of the MALDEF Assembly Plan, submitted to the CCRC on October 11, 2021. Deviations from pure nests were to made for compliance for the Federal Voting Rights Act, and some minor changes to restore some city splits, which were necessary for various total population compliance reasons at the Assembly level.

# Statement of Voting Rights Act Compliance

After the rule of equal population, the first rule of redistricting is constructing districts to comply with Section 2 of the Federal Voting Rights Act.

The MALDEF California State Senate Redistricting Plan presents 11 Latino majority citizen voting age population districts that are legally protectable under Section 2 of the Voting Rights Act[[8]](#footnote-8):

*Senate District 14 (Central Valley)*

*Senate District 16 (Central Valley) – NEW Latino CVAP Majority / NEW Latino Opportunity District*

*Senate District 18 (Los Angeles County) - NEW Latino CVAP Majority / NEW Latino Opportunity District*

*Senate District 20 (Inland Empire)*

*Senate District 22 (Los Angeles County)- NEW Latino CVAP Majority*

*Senate District 24 (Los Angeles County)*

*Senate District 31(Inland Empire) - NEW Latino CVAP Majority / NEW Latino Opportunity District*

*Senate District 32 (Los Angeles County)*

*Senate District 33(Los Angeles County)*

*Senate District 34 (Orange County)*

*Senate District 40 (San Diego County, Imperial County, and Coachella Valley)*

The districts listed above provide Latinos with an equal opportunity to participate in the political process. These redistricting plans do not fragment or over-concentrate Latino communities into districts that dilute their vote. The Latino population within these districts is geographically compact and sufficiently large enough that Latinos have an opportunity to elect a candidate of their choice. In keeping with the rules under the 9th Federal Court Circuit, all districts feature a standard of 50% or higher Latino Citizen Voting Age Population percentage as the definition of sufficiently large.

Please see separate file attachment “CCRC\_MALDEFSDPresentation\_Nov2021.ppt” for maps and narratives of these key districts of interest.

# Other MALDEF Districts of Interest

In addition to the 11 districts above which are mandated to be created for Section 2 compliance, MALDEF also created other districts throughout California which have important considerations, be it communities of interest or were drawn to respect the opportunities to elect other minority groups’ candidates of choice.

Senate District 5 (Central Valley)

Senate District 12 (Central Coast) - Latino Opportunity District

Senate District 19 (Central Coast)

Senate District 30 (Los Angeles County)

Senate District 35 (Los Angeles County)

These districts provide Latinos important influence in various parts of California.

Special attention should be paid to MALDEF SD 12. Benchmark SD 12 is a Latino CVAP Majority district which elects a Latino candidate of choice. However, it’s construction, which spans the Coastal Mountains to pair the counties of Monterey and San Benito with counties of Merced, Fresno, Madera and Stanislaus, impedes the effectiveness and creation of additional Latino Majority CVAP districts which can effectively elect candidates of choice. The MALDEF Senate plan creates two new opportunities for the Central Valley in MALDEF SDs 16 and 18. As part of the area of Benchmark SD 12 was used to create MALDEF SD 16, MALDEF SD 12 was created by nesting MALDEF AD 27 and AD 30, to form a 43% Latino CVAP district which MALDEF believes will continue to elect the Latino candidate of choice for the Monterey and San Benito Latino communities by pairing them with neighbors in Santa Cruz and Santa Clara counties.

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1. The partnerships with these organizations is limited to educational and outreach efforts and in no way indicates endorsement of the MALDEF redistricting proposals. [↑](#footnote-ref-1)
2. <https://airtable.com/shrHtFKQFdrNmmZbN/tblrKkGSFlZsHARl9/viwCX070e9dDvfwsl/recaDd0Gm1H6uHtnM/fldKTEDiMwENwZP97/att7FTTvqJHc6s3sf> [↑](#footnote-ref-2)
3. The partnerships with these organizations is limited to educational and outreach efforts and in no way indicates endorsement of the MALDEF redistricting proposals. [↑](#footnote-ref-3)
4. Total population for California statewide districts are based on the adjusted redistricting data, generated by the California Statewide Database. <https://statewidedatabase.org/redistricting2021/> [↑](#footnote-ref-4)
5. Citizen Voting Age Population for California statewide districts are generated by the California Statewide Database. https://statewidedatabase.org/redistricting2021/ [↑](#footnote-ref-5)
6. U.S. Census Bureau's American Community Survey 5-year Estimate Data (2015-2019) [↑](#footnote-ref-6)
7. The partnerships with these organizations is limited to educational and outreach efforts and in no way indicates endorsement of the MALDEF redistricting proposals by these groups. [↑](#footnote-ref-7)
8. This list does not cover additional districts required by Section 2 of the Federal Voting Rights Act that may be required for other legally protected groups. [↑](#footnote-ref-8)