

February 1, 2021

Sent Via Email

Santa Ana City Council
22 Civic Center Plaza
Santa Ana, CA 92701
eComment@santa-ana.org

**Re: Public Comment: Support for Santa Ana Redistricting Coalition Maps
February 1, 2022, City Council Meeting, Agenda Item No. 16**

Dear Members of the Santa Ana City Council:

The American Civil Liberties Union (ACLU) Foundation of Southern California supports SARC Map 1¹ and SARC Map 2.² As explained in more detail in the map narratives, the SARC maps were created by community members throughout Santa Ana, including individuals served by Latino Health Access, Orange County Environmental Justice (OCEJ), Orange County Congregation Community Organization (OCCCO), and VietRISE. These organizations and their members form the Santa Ana Redistricting Coalition (SARC). Both maps follow state and federal redistricting criteria that help ensure that district lines are fair. Because the maps are legally compliant and are supported by ethnically and geographically diverse residents in Santa Ana, we urge you to adopt SARC Map 1 or SARC Map 2.

The Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act (Fair Maps Act) requires the City Council to, in order of priority: comply with the federal requirement that districts be substantially equal in population, comply with Section 2 of the Federal Voting Rights Act (VRA), and create districts that are geographically contiguous, maintain communities of interest, have boundaries that are easily identifiable and understandable by residents, and are compact. Cal. Elec. Code §§ 21621(a)-(c).

Both maps meet the federal requirements identified in the Fair Maps Act. *See id.* §§ 21621(a) & (b). The districts in both draft maps are substantially equal in population. In both maps the total deviation from the ideal population size is under 5%, well below the allowable 10% deviation. *White v. Regester*, 412 U.S. 755, 764 (1976) (holding that deviations of under 10% are presumptively constitutional). Section 2 of the VRA prohibits district lines that dilute the voting strength of minority communities. 52 U.S.C. § 10301(a). Neither SARC map impermissibly dilutes the Asian or Latino vote through packing or cracking. The maps also do not violate the constitutional prohibition against racial gerrymandering. *See Shaw v. Hunt*, 517 U.S. 899, 905 (1996) (prohibiting the use of race as the predominant redistricting factor absent a compelling government interest). While the SARC identified various communities of

¹ SARC Map 1 submission and narrative is available at: <https://publicdocs.santa-ana.org/weblink/1.1.1.1.1.1.1.1/doc/130677/Page1.aspx>.

² SARC Map 2 submission and narrative is available at: <https://publicdocs.santa-ana.org/weblink/1.1.1.1.1.1.1.1/doc/130675/Page1.aspx>.

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interest that share an ethnic background, race did not predominate in the drawing of any map. Instead, the SARC considered race as one of many factors. Other factors the SARC considered include compactness, contiguity, and easily identifiable lines. The SARC also considered socioeconomic factors and shared interests and concerns, including environmental justice issues, the prevalence of mobile home parks, and income levels throughout the City.

The SARC maps comply with the Fair Maps Act's mandatory ranked redistricting criteria. Both maps contain districts that are geographically contiguous. *See* Cal. Elec. Code § 21621(c)(1). The maps also maintain several communities of interest. *See id.* § 21621(c)(2). Districts A, B, D, and F share largely the same configuration in both maps and maintain distinct communities of interest. As discussed in greater detail in the SARC map narratives, each of these communities have a series of interests and concerns largely unique to them. Characteristics include, to name a few, a high number of mobile home parks and shared restaurants and faith institutions in District A, more affluent and historic neighborhoods in District B, a high number of mobile home parks and shared environmental justice concerns in District D, and low-income, mixed immigration status households facing environmental justice issues in District F. District F also keeps the Delhi neighborhood intact. There is a larger community of interest in the southern core of the city that includes low-income, working-class, and mixed immigration status households. In both configurations, these communities are captured by Districts E and C. The northernmost part of this region, however, is also heavily impacted by environmental justice concerns. This region is captured by District E in SARC Map 1 and by District C in SARC Map 2. Finally, both map configurations create compact districts with borders that include major streets and landmarks and will therefore be easily identifiable by residents. *See id.* § 21621(c)(2)-(3).

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The Fair Maps Act and federal redistricting laws seek to ensure that maps are representative of various communities within a jurisdiction. The SARC maps do precisely this. Through months of community outreach and review of socioeconomic and environmental data, the SARC created two maps that capture various communities of interest throughout the City, ensuring that all residents have an opportunity to elect candidates of their choice. We urge you to adopt either SARC Map 1 or SARC Map 2. If you have any questions or concerns, you can reach us at cvalencia@aclusocal.org or jgomez@aclusocal.org

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