



October 5, 2021

Sent Via Email

Riverside County Board of Supervisors
c/o Clerk of the Board
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1st Floor, Board Chambers
4080 Lemon Street
Riverside, CA 92501
cob@rivco.org

Riverside County Planning Commission
County Administrative Center
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Re: Supervisorial Redistricting and Compliance with the Voting Rights Act

Dear Members of the Riverside County Board of Supervisors and Members of the Riverside County Planning Commission:

The Riverside County Board of Supervisors (Board) and the Riverside County Planning Commission (Planning Commission) need to work with counsel and consultants to determine whether the federal Voting Rights Act of 1965 (Voting Rights Act or VRA) requires the County to draw one or more Section 2 compliant supervisorial districts. We are concerned with the County’s failure to include data required by state law as part of its release of four draft supervisorial district maps. The absence of this data makes it difficult for the public to assess whether the maps meet federal and state law.

The County, like all legislative bodies across the country, must comply with Section 2 of the Voting Rights Act to ensure that the final supervisorial map does not dilute the voting power of any protected communities. 52 U.S.C. § 10301. At the September 28, 2021 Board of Supervisors meeting, staff provided a presentation that failed to explicitly address the need for the County to follow the Voting Rights Act.¹ When Supervisor Jeff Hewitt asked questions alluding to the role of the Voting Rights Act in the County’s redistricting process, staff responded generally that keeping communities of interest together is important but failed to directly address the need for the County to comply with the Act. When Supervisor Chuck Washington asked whether the Voting Rights Act had “anything to do with this redistricting process,” staff vaguely responded: “[n]ot as a change to our process from ten years ago.”

Based on the September 28 presentation and the exchanges between staff and Board members, it is unclear what, if any, analyses staff have conducted or plan to conduct to ensure that the final supervisorial map complies with the Voting Rights Act. It is incumbent upon County staff, the Board, and the Planning Commission to: 1) better inform the public about the role of the VRA in redistricting, including the need for the County to review community testimony, citizen voting age population (CVAP)

¹ Video of September 28, 2021 Board of Supervisors Meeting, Agenda Item No. 19 at 1:02:10-1:44:30, *available at* <http://riversidecountyca.ig2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2487&Format=Agenda>.

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data, and socioeconomic data, and to conduct a racially polarized voting analysis; and 2) work closely with counsel and consultants to determine whether the VRA requires the County to create one or more Section 2 compliant districts where Latinx and/or Black voters have an effective opportunity to elect candidates of their choice.

The Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act (hereinafter, the Fair Maps Act), requires jurisdictions like the County to comply with the Voting Rights Act and, to the extent practicable, keep communities of interest together. Cal. Elec. Code §§ 21500(b) & (c)(2). Recognizing that census data is necessary to meet these important redistricting requirements, the Fair Maps Act also directs jurisdictions like Riverside to accompany each draft map with “information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed supervisorial district[.]” *Id.* § 21508(d)(2). County staff recently released four draft supervisorial maps that attach tables with some demographic data.² The included data is not sufficient. As currently labeled, the tables omit the required *citizen* voting age population data and the racial and ethnic characteristics of the citizen voting age population of each proposed district. Instead, the tables list total population over the age of eighteen for the entire County, also known as voting age population. Voting age population data provides a limited picture of voter demographics in the County because it incorporates noncitizens over the age eighteen who legally cannot vote. The absence of the required CVAP data, including CVAP data broken down by racial and ethnic characteristics, makes it difficult for the public to assess whether the draft maps include districts that might comply with Section 2 of the Voting Rights Act.

We request that the County immediately re-release the draft maps with the data required by the Fair Maps Act, including racial and ethnic CVAP data as percentages of each draft district. We further request that the County provide a breakdown, by district, of select socioeconomic data from the American Community Survey and other voter data broken down by race and ethnicity, including voter registration and voter turnout data. These data will help the public understand the effectiveness of each district and whether the draft districts capture communities of interest.

* * *

The Board and the Planning Commission should direct staff, including legal counsel and demographic consultants, to determine whether the Voting Rights Act requires the Board to create one or more Section 2 compliant districts in the County. County staff should also immediately re-release the draft supervisorial district maps and attach data, including CVAP, voting, and socioeconomic data, to each draft map so that the public can conduct its own careful review of the plans. If you have any questions, please feel free to contact us at jgomez@aclusocal.org or cvalencia@aclusocal.org.

Sincerely,

Cynthia Valencia
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ACLU of Southern California

Julia A. Gomez
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Cc:

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² See *County of Riverside Redistricting: Maps*, County of Riverside, <https://rivcoca.com/about-county/county-boards-committees-and-commissions/county-redistricting-efforts/redistricting> (last accessed Oct. 5, 2021).