

From: [Kaya Herron](#)
To: [Fresno County 2021 Redistricting](#)
Subject: Fresno County Redistricting Concerns and Recommendations
Date: Wednesday, October 20, 2021 4:58:25 PM
Attachments: [Oct 20 2021 Joint Coalition Memo to Fresno Redistricting Commission and Supervisors .pdf](#)

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Good afternoon,

Please see attached a joint letter from the Inclusive Families Coalition and the Equitable Map Coalitions regarding the Fresno County 2021 Redistricting Process and public comment for the October 21, 2021 meeting.

If you have any questions please feel free to contact us.

In service to community,

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MEMORANDUM

To: Fresno County Board of Supervisors and
Fresno County Advisory Redistricting Commission

Cc: Fresno County CAO Jean M. Rousseau and County Liaison John Thompson

From: The Inclusive Families Map Coalition and the Equitable Map Coalition

Re: Fresno County Redistricting Concerns and Recommendations

Date: October 20, 2021

The Inclusive Families Coalition and the Equitable Map Coalition both strongly support an open, inclusive, transparent and fair redistricting process that not only complies with Section 2 of the Voting Rights Act of 1965 and the California FAIR MAPs Act (2019), but produces a map that will effectively represent all Fresno County residents. **For the reasons explained below, we respectfully request an additional Fresno Redistricting Commission hearing be scheduled.**

The Fresno Inclusive Families Coalition includes the Central Labor Council, Communities for a New California Education Fund (CNC EF), the Council on American-Islamic Relations (CAIR), the Fresno Metro Black Chamber of Commerce (FMBCC), Hmong Innovating Politics (HIP), and the Jakara Movement (JM) representing Muslim, Latino/Latinx, Black, Hmong, Punjabi, Sikh, working and low-income families in Fresno.

The Equitable Map Coalition (EMC) includes the Dolores Huerta Foundation (DHF), SEIU 521, Center for Race Poverty and the Environment (CRPE), Central Valley Leadership Roundtable, Sierra Club, Planned Parenthood Mar Monte, CA EnviroVoters (formerly League of Conservation Voters), Central Valley Progressive PAC, Leadership Council for Justice and Accountability (LCJA), Central Valley Partnership (CVP), Latino Educational Issues Roundtable, and hundreds of Fresno County residents who have completed Community of Interest Surveys especially in underserved areas and attended dozens of mapping workshops, coalition meetings, and educational webinars.

We write jointly to express our concerns about the remainder of Fresno County's redistricting process and provide recommendations to address those concerns.

Our primary concerns are:

1. No clear source of authority for how the commission will analyze redistricting criteria or uniformly and equitably evaluate proposed maps,
2. No consistent ability to provide public comment in preferred languages unhindered by arbitrary interference,
3. No opportunity for decision-makers to ask questions of the people and groups who have submitted maps, and
4. No opportunity to present community maps at the remaining hearings.

With regard to our first concern, Commissioners have asked for guidance on redistricting law but have been denied additional training. Per the California FAIR MAPs Act (2019) (See CA Elections Code section 21500), Commissioners and Supervisors must follow the ranked criteria, in the order and priority as follows:

1. The final map must have districts that are substantially **equal in population**.¹
2. The final map must comply with Section 2 of the Voting Rights Act of 1965. This requires Fresno County to include **majority-minority districts** where Constitutionally protected classes of people have an opportunity to elect candidates of their choice.²
3. Each district is **contiguous**.
4. Keep local **Communities of Interest (COI) and neighborhoods** together.
5. Respect the **geographic integrity of cities** and census designated places.
6. Use easily **identifiable boundaries** like rivers, highways and major streets.
7. Each district is **geographically compact**, to the extent practicable.
8. Fresno County shall not adopt a map that favors or discriminates against a political party³ and cannot consider relationships with political parties, incumbents, or political candidates when assessing communities of interest.⁴

The FAIR MAPs Act established map-drawing obligations that were not in place when districts were drawn in 2011, such that the Board cannot simply balance the population of existing districts, keeping boundaries essentially the same and stay in compliance with the law. Fresno County has for many years had a majority of people of color, yet 80% of the Board of Supervisors are white men. As 2020 Census data show, 73.1% of Fresno County residents are people of color, triggering voting rights protections to ensure that the fundamental right to vote of Constitutionally protected classes not be

¹ Cal. Elec. Code § 21500(a).

² Cal. Elec. Code § 21500(b); 52 U.S.C. § 10301.

³ Cal. Elec. Code § 21500(d).

⁴ Cal. Elec. Code § 21500(c)(2).

infringed. (See Also, The President's Office of Management and Budget's "Review of Racial and Ethnic Standards"⁵).

This Commission and this Board cannot simply maintain status quo district boundaries as they are substantially out of step with Fresno County's demographic changes and clearly prevent Constitutionally protected classes of people from electing candidates of choice. Indeed, we have heard countless residents give public comments that they do not have effective representation and that their representatives are not responsive to their needs.

Public Participation and Input

The California FAIR MAPs Act also requires Fresno County to engage public participation in good faith. Community voice is vital in this process as voters should choose who represents them, not the other way around.

Language access is a key part of engaging public participation in good faith. 45% of Fresno County residents speak a language other than English and 19% speak English less than very well. Existing law requires adequate translation services for both English and non-English speakers, but despite being on notice since the very first redistricting workshop in Riverdale that translation services were inadequate, Fresno County has never successfully accommodated non-english speakers.

For example, at the October 5, 2021 hearing, the disorganization of the county process and translation efforts caused the meeting to go off the rails and was genuinely disrespectful to non-English speakers. Residents should not be left crying and humiliated after trying to give a public comment. To not have thorough outreach and comprehensive translation services is to essentially exclude nearly half the population of Fresno County.

Finally, the public must be allowed the opportunity to present maps and answer decision-makers' questions about them. Then, public comment must be allowed to give input on all maps, even (and in some cases, especially) if it is "redundant". Speakers have been denied the ability to give public comment or to choose the content of their comment at all Fresno County redistricting hearings, and especially on October 5, 2021. People trying to work with a translator were especially undermined.

⁵ https://obamawhitehouse.archives.gov/omb/fedreg_directive_15

The California State Redistricting Commission has articulated a practical interpretation of the FAIR MAPs act in its “Mapping Playbook” document⁶ that states, among other things, that redundant public comment, even if it sounds “scripted,” should be considered as it may reflect that the input is the will of a larger segment of the population. Fresno County should not limit comment based on redundancy or try to micromanage the content of the input being given.

For all of these reasons, we make the following recommendations:

- Provide Commissioners and Supervisors in-depth training and guidance on federal and state law prior to public hearings to narrow down proposed maps.
- Discontinue the use of NDC’s presentation slides regarding Redistricting Rules and Goals which misleads Commissioners and the public. Federal and State law override any “Other Traditional Redistricting Principles.”
- NDC must uniformly and transparently analyze how each map complies with the California FAIR MAPs Act (2019) criteria, in ranked order. For each map forwarded to the Board of Supervisors, NDC should articulate and post on the Fresno County redistricting website the specific FAIR MAPs criteria met and any deficiencies.
- Use the California Citizens Redistricting Commission’s “Mapping Playbook” to properly evaluate all public input and especially Community of Interest testimony.
- Eliminate from consideration any map that only seeks to equalize population, without taking into account the requirements of the Voting Rights Act and California FAIR MAPs Act.
- Eliminate from consideration any map with a deviation above 10% (rounded up).
- Eliminate from consideration or deprioritize consideration of any map submitted anonymously, or that otherwise lacks supporting statements and transparency.
- Prioritize the presentation of community maps for which the authors are present to provide explanatory information and provide them with at least 10 minutes each to explain their map and demonstrate community support.

Redistricting following the census is intended to be one of the most inclusive exercises of our democracy where the voices of all residents and communities are heard, respected and included in the drawing of district boundaries.

Given the extensive and long-standing deficiencies in Fresno County’s Redistricting process and the voluminous list of proposed maps scheduled for consideration on

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https://d3n8a8pro7vhmx.cloudfront.net/ccrc/pages/347/attachments/original/1633566887/Mapping_Playbook_-_v.3.pdf?1633566887

October 21, 2021, **we ask that the Commission schedule a second hearing to ensure the County meets its obligations to engage with the public in good faith and to properly and equitably evaluate the required state and federal criteria for all proposed maps.**

Questions and inquiries about these concerns and recommendations can be directed to:

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Respectfully Submitted,

The Inclusive Families Coalition & The Equitable Map Coalition