



November 16, 2021

Fresno County Board of Supervisors  
Hall of Records  
2281 Tulare Street #301  
Fresno, CA 93721

Fresno County Supervisors:

The 2021 redistricting process in Fresno County, authorized and coordinated by its Board of Supervisors, has been characterized by a bias favoring incumbents, institutionalized racism in not adequately representing demographic changes to delineate district maps, and efforts to maintain a status quo that disempowers growing communities of interest that have historically been segregated and disenfranchised.

The 2020 Census offers baseline statistics to illustrate that dramatic demographic change has occurred in Fresno County over the past three decades, especially involving its racial and ethnic composition. In 1990, for example, the county's White population was 50.7% , whereas Latinos were 35.4%. Fast forward to today, where the Census found these populations had reversed, with Whites at 27% and Latinos now 53.6% of the county's population.

Given these changes, together with new state redistricting mandates and ongoing federal requirements, a foundational restructuring of the county's electoral districts is necessary to account for both the longstanding disenfranchisement of communities of color and to redress the problem that the current redistricting system has been corrupted by racism, partisan bias and the desire of incumbents to protect their re-election.

As noted by the ACLU of Northern California in a September 16, 2021 comment letter, statements by Fresno County supervisors at their April 13, 2021, meeting openly illustrated and documented their prejudices as the redistricting process got under way:

- Supervisor Buddy Mendes offered that the 2021 redistricting process needed only “tweaking” or the “moving over” of “between 3 to 5 Census tracts.” He also referenced the previous 2010 redistricting as precedent for his position, stating that district line changes that year mostly occurred in District 5 where “the census tract boundaries basically moved slightly to the northeast...just slightly.”
- Supervisor Nathan Magsig commented that he was saddened that his district will likely be impacted most by the 2021 redistricting process and, if he could, he would “keep the lines exactly as they are because [he] appreciate[s] the opportunity to serve everyone in [his] district.”
- Supervisor Brian Pacheco echoed the sentiment that the redistricting process would result in little change because he did not expect “wholesale changes” to the Fresno County district lines.
- And lastly, Supervisor Steve Brandau projected that the Fresno County district map would only “shift relatively slightly” because of some “broader changes based on population growth.”

These statements not only testified to the supervisors' preferential bias for a status quo favoring their re-election but also illustrated a complete misunderstanding of changes to California state law under the Fair Maps Act. As described in the ACLU's letter, “In adopting the Fair Maps Act and making traditional

redistricting criteria mandatory, the California Legislature took the firm position that counties may not simply tweak lines every 10 years to address malapportionment. Instead, the line drawers must conduct a thorough process that, in the end, results in a map that keeps communities of interest together.”

The extraordinary demographic changes to Fresno County’s racial and ethnic composition necessitate a fundamental restructuring of Fresno County’s redistricting maps so that they expand the voting, electoral participation and enfranchisement previously excluded communities of interest and to empower more representative local leadership.

From the start, Fresno County’s redistricting process lacked appropriate oversight and a nonpartisan process. The hiring of National Demographics Corporation (NDC) as the county’s redistricting consultant lacked an adequate and transparent public process by the Board of Supervisors. Even worse violations of public trust were illustrated by how the county’s redistricting advisory commission was constituted with each supervisor selecting two commission members and the county administrative officer choosing one. The commission was therefore heavily weighted by the partisan bias of the current supervisors—four out of five of whom are White men and three who are registered Republicans.

As a result, the redistricting advisory commission discounted extraordinary public input, participation and testimony from community members who proposed and favored community-based maps that were the outcome of robust public dialogue and engagement far beyond the cursory efforts of the commission itself and, moreover, required by the Fair Maps Act. One of the three recommended commission maps—Map 101B, which had been revised just prior to the meeting at which it was recommended—wasn’t adequately agendized, could not be appropriately reviewed by the public, and was inadequately analyzed even by NDC and the commission itself prior to being approved.

At the November 2, 2021, Fresno County Board of Supervisors hearing to consider the commission’s proposed maps, support coalesced around Map 101B. While this map was initially submitted from an anonymous source, it has now become known that a Republican political consultant and strategist submitted this map which focused on “future growth” (rather than centering on existing Census data) although that is not a ranked, mandated criteria of the Fair Maps Act. The consideration of Map 101B is problematized by potential Brown Act violations and a tenuous compliance with new California state law. Unsurprisingly, Map 101B did, however, comply with the original declarations of the Fresno County Board of Supervisors for a final map with only minor changes to the existing district lines.


California’s Fair Maps Act establishes that redistricting lines result from a thorough process that keep communities of interest together. The law goes further to state that “communities of interest do not include relationships with political parties, incumbents, or political candidates” (Cal. Elec. Code §21500(c)(2)). The 2020 Census confirmed decades-long trends demonstrating that Fresno County’s most prevalent, numerous and growing communities of interest comprise immigrants, farmworkers and an expanding Latino population. Correspondingly, the new district maps should be representative of these demographic changes, rather than prioritize the incumbency of current elected officials. An example suggested by the community-based maps (which did highlight the significance of immigrants and farmworkers as communities of interest), was illustrated in having the west side of Fresno represented in one supervisory district. Such a map also accounts for the unique differences in the scale and nature of agriculture juxtaposed between the east and west sides of the county. In either case, the most numerous and historically disenfranchised communities of interest must be prioritized and accentuated in the drawing of new district maps at this critical juncture point.

We recognize that not all communities of interest are equal. During its redistricting process, Fresno County officials have not discussed how or why prioritization of communities of interest will be made. The county’s supervisors have highlighted the City of Clovis and high income areas such as the City of Fresno’s Fig Garden, El Paseo and Sunnyside neighborhoods in their public comments. Yet these areas do

not suffer from low voter turnout like rural unincorporated areas of the county. Gerrymandered districts make meaningful attempts at public office implausible and therefore need to be re-balanced to ensure a broader and more diverse electoral representation. During this redistricting process in Fresno, it was community-based organizations who actually engaged the public to discern these nuances of the geographic landscape and who focused on immigrants, farmworkers and unincorporated rural communities. In contrast, from the start, the current majority of Fresno County supervisors initiated a narrow, biased and exclusive redistricting process geared toward ensuring their own re-elections.

If the final Fresno County Board of Supervisors approved redistricting map does not account for the major substantive demographic changes that have occurred in its jurisdiction, and fails to incorporate the Fair Maps Act's mandatory, ranked criteria to establish its communities of interest, then it will likely be noncompliant and in possible violation of new state and existing federal laws.

Sincerely,

A handwritten signature in black ink that reads "D. O'Connell". The signature is written in a cursive style with a large initial "D" and "O'".

**Daniel O'Connell**  
**Executive Director**  
**Central Valley Partnership**