

## **2021 1108 Chu Redistricting Proposals**

### **ATTACHMENT 2: HISPANIC AND ASIAN POPULATION DISTRICTS**

#### **1. PROPOSAL 5 VIOLATES THE PROVISIONS, PRIORITIES AND INTENT OF THE U.S. CONSTITUTION, CALIFORNIA CONSTITUTION, VOTING RIGHTS ACT AND ELECTIONS CODE SECTION 12, 500 ET SEQ.**

**Proposal 5 has the lowest Asian population numbers and percentages in the Influence Asian Voting District. The Asian population is divided in smaller percentages over different districts in Proposal 5. The district divisions in Proposal 5 resulted in the weakest Influence Asian Voting District.**

**The creation of Major Minority Voting District 5 with 67.9% Hispanics and Influence Hispanic Voting District 4 with 45.5% weakened the abutting Influence Asian Voting District in Proposal 5 to only 32.2%. The sacrifice of the Asian population to add to the Majority Hispanic Minority Voting District and/or to the Influence Hispanic Voting District adversely impacts the ability of Asians to participate fairly and equally in the election process.**

**This is particularly true when coupled with the largest population percentage and numerical deviations of Proposal 5. This clearly results in Anti-Asian discrimination prohibited under the U.S. Constitution, the California Constitution, Voting Rights Act and Election Code 21,500 et seq.**

**Alternatively, the strongest Majority Hispanic Minority Voting District 1 is created in Proposal 2 District 4 adjacent to the strongest Influence Asian Voting District. Although the percentages of Hispanics in the Majority Hispanic Minority Voting District in Proposals 2 and 5 are the same, the one in Proposal 2 has the largest population number, 431,360 Hispanics, 4.3% or 17,960 more than the 431,400 Hispanics in Proposal 5 and 3% or 16,290 more than the 418,822 Hispanics in Proposal 5. Proposal 2 is the only map with the strongest Majority Hispanic Minority District adjacent to the strongest Influence Asian Voting District.**

**Proposal 5 will have a substantial negative impact on the rights of Asians to fair political representation for the next ten years. To the contrary, Proposal 2 strengthens the Influence Asian Voting District without adversely affecting the Majority Hispanic Minority Voting District.**

#### **2. PROPOSAL 2 IS THE FAIREST AND MOST COMPLIANT WITH THE REQUIREMENTS, PRIORITIES AND INTENT OF THE U.S. AND CALIFORNIA CONSTITUTIONS, VOTING RIGHTS ACT AND ELECTIONS CODE 21,500**

**Proposal 2 is the fairest and the most compliant map with the provisions, priorities and intent of the Federal and California Constitutions, Voting Rights Act and Election Code section 21,500.**

**The most important requirement, Elections Code Section 21,500 (a) (1), requires districts to be “substantially equal in population as required by the United States Constitution”. This requirement protects the right of minorities for “equal opportunity to be part of the**

political process”. Proposal 2 is the most “substantially equal in population as required by the United States Constitution. Exhibit 1 includes a chart of the deviation spreads for each district in the three maps from low to high.

All of the districts in Proposal 2 have numbers and percentages that deviate the least from the target population and at the same time, creates the best Majority Hispanic Minority Voting District and the best Influence Asian Voting District.

The population deviation spread of Proposal 2 is the most compliant with a low deviation percentage of 1.95%. Proposal 5 is the least compliant with a high of 9.52%. The population deviation spreads as shown in numbers under the target population in Proposal 2 is minus 5,699. Proposal 5 is much less compliant with a minus spread of 29,951. The spread over the target population in Proposal 2 is plus 6,782. Again Proposal 5 is substantially less compliant with a sizeable population plus of 30,817.

Both Proposals 2 and 5 have the least split cities after the technical boundary adjustments. Proposal 4 will have almost twice as many split cities. The splits of Fountain Valley, Fullerton, Garden Grove and Irvine has a negative impact on the Asian communities of interest.

### **3. PROPOSAL 2 HAS THE STRONGEST AND LARGEST MAJORITY HISPANIC MINORITY VOTING DISTRICT**

The best and strongest Majority Minority Voting District is in Proposal 2. Proposal 2, District 1 has the highest population count of Hispanics, more than the corresponding District 2 in Proposal 4 and District 5 in Proposal 5. Proposal 2 ties with Proposal 5 on the largest Hispanic percentage.

These higher population percentage and numbers in Proposal 2 strengthen the Majority Hispanic Minority Voting District over those in Proposals 4 and 5.

Proposal 2, District 1 includes 431,360 Hispanics, the highest number of Hispanic populations, 12,538 more than Proposal 4. Although the population percentages in Proposals 2 and Proposal 5 are the same and are the largest percentages as compared to Proposal 4, Proposal 2 has 17,960 more Hispanics than Proposal 5.

Proposal 2 creates the strongest Majority Hispanic Minority Voting District 1 with the largest population of Hispanics and has an additional two Hispanic districts of influence. Proposal 4 also has a Majority Hispanic Minority District but only one Influence Hispanic District.

The Majority Hispanic Minority Voting District in Proposal 2 includes all of Santa Ana and Little Arabia and parts of Garden Grove as desired by the speakers on November 4 supporting Proposals 4 and 5.

### **4. PROPOSAL 2 DISTRICT 4 IS THE STRONGEST AND LARGEST INFLUENCE ASIAN VOTING DISTRICT**

Proposal 2 is the only one that strengthens both the Majority Minority District and the Influence Voting District. Proposal 2 is the most compliant with the provisions and intent

**of the Federal and California Constitutions, the Voting rights Act and Election Code section 21,500. All of the districts in Proposal 2 have numbers and percentages that deviate the least from the target population and at the same time, creates the best Majority Hispanic Minority Voting District and the best Influence Asian Voting District.**

**Proposal 2, District 1 includes Santa Ana, Little Arabia, and parts of Garden Grove in a single district as desired by the speakers last week in support of Proposals 4 and 5.**

**Proposal 2 is the only Proposal that strengthens both the Majority Minority Voting District and the Influence Voting District in population numbers and percentages.**

**Proposal 2 is the most compliant with the provisions, priorities and intent of the Federal and California Constitutions, the Voting rights Act and Election Code section 21,500. All of the districts in Proposal 2 have numbers and percentages that deviate the least from the target population and at the same time, creates the largest Majority Hispanic Minority Voting District and the best Influence Asian Voting District.**

**Proposal 2 has the highest percentages and the largest number of Asians in District 4 to form the strongest Asian Influence Voting District. The Asian Influence Voting Districts in Proposals 4 and 5 are significantly lower in percentages and numbers than Proposal 2.**

**Proposal 2, District 4 includes 243,208 (38.4%) Asians, the largest of the Influence Asian Voting Districts submitted. The Influence Asian Voting District in Proposal 4 is populated by 226,918 Asians, 16,290 and 7% less than Proposal 2. The Influence Asian Voting District in Proposal 5 has the least Asian Population, 196,491 or 23.7% less than that of Proposal 2.**

**5. Proposal 2 is the most compliant with the provisions and intent of the Federal and California Constitutions, the Voting rights Act and Election Code section 21,500. All of the districts in Proposal 2 have numbers and percentages that deviate the least from the target population and at the same time, creates the best Majority Hispanic Minority Voting District and the best Influence Asian Voting District.**

**5. THE ELIMINATION OF PROPOSAL 2 WILL HAVE SEVERE ADVERSE IMPACTS ON THE RIGHTS OF ASIANS TO PARTICIPATE IN THE POLITICAL PROCESSES FOR THE NEXT TEN YEARS.**

**Proposal 5 will have drastic adverse impacts on the rights of Asians to elect a representative of their choice as guaranteed by the federal and state Constitutions and laws. Although not as drastic, Proposal 4 will still lessen the opportunities for Asians to be fairly represented.**

**The Influence Voting Districts in Proposals 4 and 5 are significantly lower in percentages and numbers than Proposal 2. This violates the provisions, priorities and intent of the U.S. and California Constitutions, the Voting Rights Act and Elections Code.**

**Proposal 2 creates the strongest Majority Minority District 1 with the largest population of Hispanics and has two Hispanic districts of influence. Proposal 4 also has a Majority Hispanic Minority District and only one Influence Hispanic District.**

**On the other hand, the Asians in Proposal 5, the lowest in numbers and percentages, are spread over different districts in Proposal 5. The creation of Major Minority District 5 with 67.9% Hispanics and Influence Hispanic District 4 with 45.5% weakened the abutting Influence Asian District to 32.2%. This clearly presents a perception of Anti-Asian discrimination prohibited under the U.S. Constitution, the California Constitution, Voting Rights Act and Election Code 21,500 et seq.**

**The weakened Influence Asian District was sacrificed to create a Majority Minority District (District 5) of 67.9% and the strongest Influence Hispanic District (District of 45.5%) both abutting the Influence Asian District**

**The increased Hispanic population included in Proposal 2 is not detrimental to the Hispanics' rights for fair representation and in fact, strengthens the Majority Minority Voting Rights District.**

**Proposal 2 is the only one that strengthens both the Majority Minority District as well as that of the Influence Voting District.**

**The elimination of Proposal 2 will discriminate against the Asians contrary to the provisions and intent of the U.S. and California Constitutions and Elections Code 21,500. Dilution of the Asian voices for the next ten years is not in the best interest of Orange County and is tantamount to deletion of the Asian voices.**

**The elimination of Proposal 2 containing increased percentages and numbers of the Hispanic population will deprive Orange County Hispanics of a stronger Majority Minority District.**

**The percentage and numerical differences in Proposals 4 (District 2) and 5 (District 5) both adversely affect the Asian community. Both District 2, Proposal 4, and District 5, Proposal 5 abut to District 4, Proposal 2.**

**On the other hand, the percentage and numerical difference strengthens the Hispanic Majority Minority Voting District and therefore, does not have a negative affect on the Hispanic community.**