

# EXHIBIT 5



# HOPE

Citizens Redistricting Commission  
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November 24, 2021

Dear Commissioners,

I am writing you with urgent concern, on behalf of Hispanas Organized for Political Equality (HOPE), regarding the congressional drafts you released on November 10<sup>th</sup> and will begin adjusting on this coming Monday, November 29<sup>th</sup>.

In particular, HOPE is concerned about the elimination of a majority-minority Latino district within the area of Los Angeles' Gateway cities. The seat, which was called by the Los Angeles Times the most Latino district in the country, disappeared off the map, despite the growth in Latino population throughout the state. This seat was absorbed by neighboring districts, with most of it going into a district "LBNORTH" which is only 40% Latino when looking at eligible voters.

Throughout HOPE's 32 years of community leadership, we have remained committed to our mission, ensuring political and economic parity for Latinas through leadership, advocacy, and education to the benefit of all communities and the status of women.

The work of HOPE and the influential base of HOPE graduates, local activists and local leaders has led a reformation of governance at every level – making our elected officials look more like the people they represent. Most recently this past fall, HOPE trained over 400 Latinas across California on importance of redistricting to all of our communities and the need for diverse representation. This movement and commitment has yielded important successes: Today there are more Latinas in elected government than ever before.

This revolution has been due to organizing and changes in how California conducts elections. The California Voting Rights Act has created more districted elections, benefiting Latinas who are seeking local office. And fair districts drawn with the Voting Rights Act in mind have expanded the number of legislative and congressional districts that can express the values and political choices of the state's growing Latino population.

HOPE has always been a supporter of independent redistricting and we are all grateful for your work on this daunting task. We also appreciate public statements by commissioners regarding the coming final weeks of the commission work and changes that need to be made to the map, particularly around the VRA issues in Los Angeles.

In order to help with your work I am attaching an analysis from two respected Southern California researchers, Christian Grose and Natalie Masuoka, who have looked closely at the draft lines and need under the Voting Rights Act to return a Latino Majority Minority district to the congressional plan in Los Angeles.

Based on this analysis, we believe the commission could achieve something that would be consistent with the Voting Right Act and also empower more communities of interest. The three steps would be:

- 1) Create a new GATEWAYCITIES District centered around Downey, as described in this analysis, allowing for the creation of FIVE Latino Majority minority districts where there currently are four.**
- 2) Take the current LBNorth seat to the south, through Seal Beach into Huntington Beach, making that a Latino influence seat at 35-40% Latino by voting age population.**

This would return to Los Angeles the now missing Latino Majority Minority district and ensure that the consequences of population losses statewide are not borne by the fastest growing population – the state's increasing Latino population.

Thank you for your attention to this matter.

With HOPE toward the future,



Helen Iris Torres  
Executive Director & CEO  
Hispanas Organized for Political Equality (HOPE)

**A voting rights analysis of high-Latino-CVAP proposed districts in south and east L.A. County:  
Are proposed districts in L.A. County and the southern California area Latino-ability-to-elect  
districts?**

**Dr. Christian Grose and Raquel Centeno, Ph.D. student**

November 23, 2021

The California Citizens Redistricting Commission has released its proposed congressional district maps. In this report, we look at congressional districts in southern California/L.A. County in the Commission's proposed draft maps with a specific emphasis on voting rights, Latino ability to elect districts, and Latino influence districts in the area of south and east Los Angeles County.

Given racial polarization in Southern California, including parts of L.A. County, it is necessary to assess whether these proposed districts will provide sufficient opportunities to elect Latino candidates of choice. We also seek to analyze whether an additional Latino ability-to-elect or Latino influence district could be added to L.A. County. We conclude that with some reconfiguration of proposed districts, such a district could be added to L.A. County without diluting the influence of Latino voters in other districts.

In this report, Latino candidates of choice are defined as Latino candidates who are preferred by a majority of Latino voters.<sup>1</sup> While not presented here, we find evidence of racially polarized voting between Latino voters and non-Hispanic white voters in parts of Los Angeles County, Orange County, and other areas of southern California.<sup>2</sup>

We analyzed five proposed congressional districts with large Latino CVAPs in the south and east L.A. County area: LBNORTH, STH60, CDCOV, SP710, and CDNELA. These districts are listed in Table 1 below. The names of these districts are those given by the California Citizens Redistricting Commission upon the recent release of their draft congressional district maps.

**Table 1: Racial and Ethnic Demographics of south and east L.A. County-area districts**

Proposed District Name	Latino CVAP	Asian CVAP	Black CVAP	Non-Hispanic white CVAP
CDCOV	53%	32%	3%	12%
CDNELA	57%	18%	7%	16%
STH60	56%	21%	2%	20%
LBNORTH	40%	13%	12%	33%
SP710	63%	10%	11%	14%

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<sup>1</sup> We identified Latino candidates of choice in exogenous elections. In the interest of space, this full analysis is not presented here. To identify Latino candidates of choice in exogenous elections, we conducted analyses of racially polarized voting of Latino voters and non-Hispanic white voters in L.A. County and southern California.

<sup>2</sup> Non-Hispanic whites and Latinos sometimes choose different candidates in southern California, according to RPV analyses conducted. We also find that Latino voters and Black voters; and Asian American and Latino voters in L.A. County sometimes vote in coalition with one another in general elections; though this depends on the specific region/area/districts of southern California.

As Table 1 shows, four of these five districts are Latino CVAP majority districts (CDCOV, CDNELA, STH60, and SP710) and one has Latino CVAP as the plurality group (LBNORTH). LBNORTH is a district with a 40% Latino CVAP, though we will later assess if it has the potential to be a Latino ability-to-elect coalition district as Latino voters are 40% CVAP, Black voters are 12% CVAP, and Asian voters are 13% CVAP. None of these five proposed congressional districts are white majority CVAP. The four Latino-majority districts range from CDCOV with a 53% Latino CVAP to SP710 with a very high 63% Latino CVAP.

### **Are these five districts able to elect Latino candidates of choice?**

Simply looking at the Latino CVAP in a district is not sufficient for determining if a district is likely to elect a Latino candidate of choice. A key metric is whether the district demonstrates an ability to elect a Latino candidate of choice (a Latino candidate of choice is defined as a candidate preferred by a majority of Latino voters). In fact, recent Supreme Court jurisprudence has suggested that arbitrary racial thresholds could trigger racial gerrymandering claims (i.e., *Cooper v. Harris*), and therefore close attention to a district's ability to elect Latino candidates of choice is one critically important metric for determining if a district is likely to elect a Latino candidate of choice.

**Table 2:** Can These L.A.-area U.S. House Districts Elect Latino Candidates of Choice?

<b>Proposed District</b>	<b>How often do Latino candidates of choice win elections in the proposed district?</b>	<b>What is the average vote % of Latino candidates of choice in exogenous elections (across all voters in proposed district)?</b>
LBNORTH	67% win rate	58.3%
STH60	83% win rate	57.5%
CDNELA	83% win rate	69.4%
CDCOV	83% win rate	61.7%
SP710	83% win rate	64.4%

In Table 2 above, we examine these five south and east L.A. area districts to assess how likely they are to elect Latino candidates of choice. The first column displays the name of the proposed congressional district in the Commission's draft maps. The second column shows the percentage frequency that Latino candidates of choice in exogenous elections win in the district. The third column displays the mean vote percentage that Latino candidates of choice receive in general elections in these

five districts.<sup>3</sup> These latter two metrics provide information on how likely the districts are to elect Latino candidates of choice.

As Table 2 reveals, the Latino CVAP majority districts have a very high propensity of electing Latino candidates of choice. In STH60, CDNELA, CDCOV, and SP710, there is a very high probability that a Latino candidate of choice will be elected in these districts. Of the five districts, these four districts have the highest Latino CVAP. Further, in three of these districts, the average vote share received by Latino candidates of choice in exogenous elections ranges from 61.7% to 69.4%. These are very high margins of victory and Latino candidates of choice will be elected in these districts.

In fact, these districts are so high performing for Latino candidates of choice that these districts could be attacked on voting rights grounds for overpacking Latino voters into four Latino CVAP-majority districts when five districts could have instead been drawn in this region to elect Latino candidates of choice. If geographically feasible, the Commission may want to slightly unpack some of these districts to provide greater Latino voting strength to surrounding district(s). It could be possible to marginally unpack these districts to simultaneously protect the ability to elect Latino candidates and preserve Latino CVAP majorities in those districts; and in doing so also create one more L.A. County-based Latino ability-to-elect district. This seems potentially feasible particularly in these three districts with very high Latino CVAPs and ability to elect rates (CDNELA, CDCOV, and SP710).

It is important to remember that voting rights and the protection of voters of color is a higher priority than preserving county boundaries or other lower-order criteria. Further, it is also acceptable for Commissioners to value providing influence to voters of color in its districting plans, so long as it is not the sole criterion used, even beyond the minimal requirements for voting rights guidance provided to the Commission by its voting rights staff. Thus, it may be important that some of these very high Latino districts in L.A. County expand somewhat into neighboring counties such as Orange County or Riverside County. Crossing into Orange County will make some of these districts less overpacked but also will still allow for very high levels of Latino ability to elect and Latino CVAP majorities. For instance, district SP710 is 63% Latino CVAP. Such a district is likely overpacked beyond what is required to definitively allow for the election of a Latino candidate of choice given the data shown in the third column of Table 2. Similarly, STH60 and CDNELA are 56% and 57% Latino CVAP respectively. If these districts were between 52% and 54% Latino CVAP, for instance, they would still be very likely to elect Latino candidates of choice. The Commission may want to consider the optimal allocation of Latino CVAP in L.A. County so as to create one additional very-high Latino CVAP-majority or plurality districts in this area while retaining these four Latino-CVAP-majority districts.

The LBNORTH district is distinct from the other districts in that it has a lower propensity to elect Latino candidates of choice (as shown in Table 2 above). As a result, we will focus more specifically on this LBNORTH district below.

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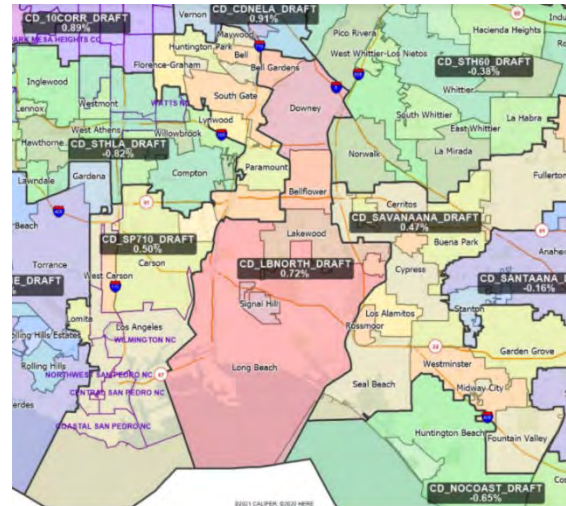
<sup>3</sup> Given California has a top two primary, the analyses of the ability for Latino candidates of choice to win includes election with same-party candidates running against each other when Latino candidates compete against non-Latino candidates as well as different-party candidates competing against each other. Peer-reviewed academic research has shown that the salience of racial and ethnic identity can be very high to voters in top-two elections when candidates of the same party compete; see Sara Sadhwani et al., 2018, "Candidate Ethnicity and Latino Voting in Co-Partisan Elections," *California Journal of Politics and Policy*.

### Is the LBNORTH proposed district a

**Latino-ability-to-elect district or a Latino influence district?** The Commission's LBNORTH proposed district is 40% Latino, 12% Black, 13% Asian, and 33% non-Hispanic white. This district was displayed on the Commission's website and is reproduced and displayed on the right.

This potential congressional district includes parts or all of Long Beach, Hawaiian Gardens, Lakewood, Bellflower, Downey, and Bell Gardens.

Is this district a Latino-ability-to-elect district? In other words, can this district provide a regular opportunity for Latino candidates of choice to win in U.S. House elections? Given the district is currently 40% Latino CVAP and only 33% non-Hispanic white, it may have some positive probability of electing Latino candidates of choice but it deserves stricter scrutiny given its relatively low Latino CVAP.



As Table 2 above revealed, *LBNORTH* has the lowest propensity of electing Latino candidates of choice of all districts in the table. LBNORTH elects Latino candidates of choice sometimes, in only 67% of exogenous elections analyzed. On average, Latino candidates of choice win in this district more often than they do not, but the district could possibly be redrawn to improve the likelihood that Latino candidates of choice will win in the district. The Commission may want to consider ways in which this district could increase its probability of electing Latino candidates of choice.

### How could the Commission enhance LBNORTH's ability to elect Latino candidates of choice?

Based on our close analysis of the data, the Commission has at least two options to increase the ability to elect Latino candidates of choice in the LBNORTH area:

#### 1. The Commission can increase the Latino CVAP in LBNORTH in order to make it go above its current 40% Latino CVAP.

The district may not need to be Latino CVAP majority, but an increase in its Latino CVAP will give it a much higher likelihood of electing a Latino candidate of choice. There are several ways such a district could be drawn. This could involve including more of the neighboring Latino areas to the north of LBNORTH into the LBNORTH district, or including other neighboring areas that have significant Latino VAPs currently not in LBNORTH. The Gateway cities, a heavily Latino ward of Long Beach not currently in LBNORTH, and other nearby geographies, including some nearby census tracts in Orange County, have sizable Latino populations. By revising the LBNORTH district in such as way, it would likely increase its probability of electing Latino candidates of choice beyond the 67% level identified earlier.



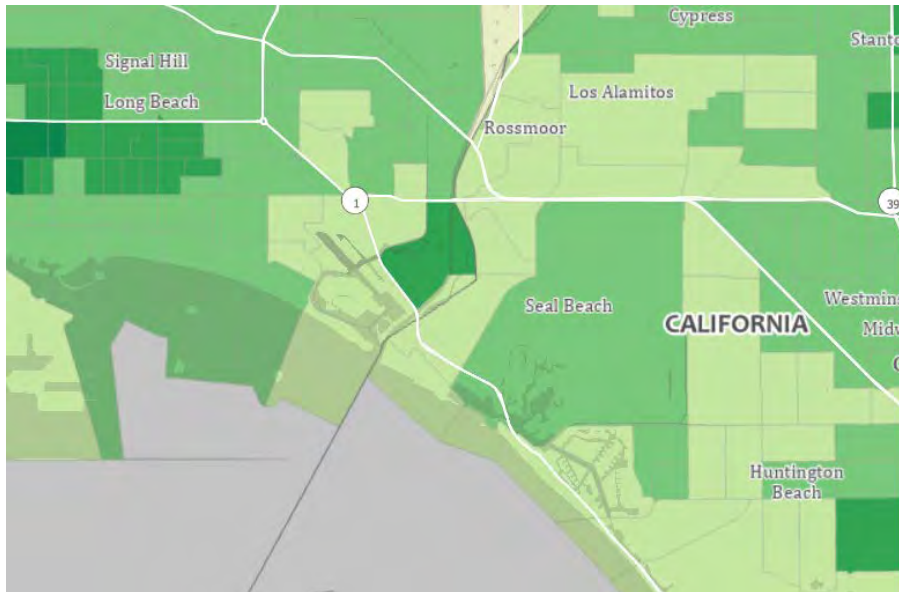
2. **A bold move to increase Latino voting power would be for the Commission to create a new GATEWAYCITIES district in L.A. County by removing Downey from LBNORTH and combining Downey with several other highly Latino cities in the Gateway region of Los Angeles County and possibly extending into Orange County. With this option, the Commission would then extend the LBNORTH district somewhat southeast to maintain LBNORTH as a Latino influence district. This addition of a GATEWAYCITIES district would provide one more additional Latino ability-to-elect district that does not currently exist in L.A. County in the proposed map, and would still allow for a reconfigured LBNORTH district that is based in the Long Beach area and that would provide Latino influence, but that would now extend outward in its southern portion of the district instead of north into the Gateway cities.**

The Commission could create a new GATEWAYCITIES district centered around Downey, Bell Gardens, and include high-Latino Gateway city areas in neighboring districts without significantly altering the ability of neighboring districts to elect Latino candidates of choice. In creating a GATEWAYCITIES district in this area of L.A. County, the Commission could seek to add this additional Latino-ability-to-elect district while slightly reducing the Latino CVAP in the neighboring four Latino-CVAP-majority districts. However, it is critically important for voting rights to maintain these surrounding districts as Latino ability-to-elect districts with Latino CVAP majorities. By creating a new GATEWAYCITIES Latino-ability-to-elect district centered on Downey and other Gateway cities – instead of placing Downey in LBNORTH – it may be possible to have five – instead of four – Latino CVAP-majority ability-to-elect districts in L.A. County (or possibly five very high Latino majority/plurality CVAP ability-to-elect districts in L.A. County).

The LBNORTH district could be reconfigured so that it is a Latino influence district. Such a revised LBNORTH district would include Long Beach and extend into Seal Beach, Rossmoor, and possibly other northeastern Orange County communities to be a Latino influence district. This revised LBNORTH district would still likely be a Latino influence district as it would have a very high percentage of Latino CVAP, Black CVAP, and Asian CVAP. Based on RPV analyses not displayed, this area of Long Beach and neighboring Orange County has previously shown a willingness of Latino and Black voters, in particular, to vote in coalition with one another for Latino congressional candidates of choice.

**Extend LBNORTH into Seal Beach and northern Orange County.** To build in an additional Latino influence district that would include parts of Long Beach, we would recommend that the LBNORTH district be extended southward to include Seal Beach and possibly down to areas of Huntington Beach with sizable Latino populations. The map below is a visualization of census tracts based on the 2020 census. The darker green indicates higher Latino populations and the lighter green indicates fewer Latino residents. As shown in the map, Seal Beach includes several census tracts with sizable Latino populations. For instance, census tract 995.02 in Seal Beach is 34.2% Latino. In addition, census tract 994.02 in Orange County is 68.5% Latino. These concentrations of Latino voters in the Seal Beach/Orange County coastal area are important as they have often faced racial polarization in voting. Placing them in a Long Beach-based district would enhance their voting power in the face of racially polarized voting.





In order to retain the Latino influence district that has already been created by the Commission with LBNORTH, but also to add a new GATEWAYCITIES district in L.A. County to enhance Latino voting rights to the north of LBNORTH, the Commission could extend LBNORTH into these areas with higher Latino populations in Seal Beach and other areas of Orange County in order to offset for population declines cause by removing some or part of Downey at proposed district LBNORTH's north to create a new GATEWAYCITIES district.

**To create a new GATEWAYCITIES district to enhance Latino voting influence, the Commission would need to meld together two white-majority districts elsewhere** so as to cause an aggregate increase in the number of districts providing voting power for voters of color across the region and the state. This second option of creating a new GATEWAYCITIES district would require the Commission to meld an existing proposed district into another district in another part of the state so that there are 52 congressional districts. Such a melding of districts should not merge together other minority-ability-to-elect or minority influence districts. Instead, the addition of a GATEWAYCITIES district should instead lead the Commission to find a geographic area where two proposed districts likely to elect white candidates of choice would be merged together. Such a move would enhance voting rights in the aggregate in the state for Latino voters and voters of color. The melding together of two proposed districts that are likely to elect white candidates of choice in another part of the state to accommodate the addition of a new Latino-ability-to-elect GATEWAYCITIES district and a revised LBNORTH district would enhance Latino voting power in California's new map by adding one additional Latino district.

#### **About the Authors**

***Dr. Christian Grose*** is Professor of Political Science and Public Policy at the University of Southern California. He is the Academic Director of the USC Schwarzenegger Institute for State and Global

Policy. He received his Ph.D. from the University of Rochester and his B.A. from Duke University. He is the author of more than 40 articles and chapters about American politics; legislative politics; race and ethnicity; Latino politics; Black politics; voting rights; and statistical methodology. These articles have been published in peer-reviewed journals such as the *American Political Science Review*, the *American Journal of Political Science*, and the *Journal of Politics*. His award-winning book *Congress in Black and White*, analyzes the role of race and ethnicity in the redistricting process. His research has been funded by the Russell Sage Foundation, the Leonardo DiCaprio Foundation, the MIT Election Data Science Center, and others. Grose directs USC's Fair Maps and Political Reform Lab, which produces nonpartisan research about redistricting, the top-two primary, and independent commissions. He has worked as an expert witness and consultant on numerous voting rights cases, and has extensive experience analyzing racially polarized voting and minority ability-to-elect districts. He has experience working with bipartisan and nonpartisan groups such as commissions.

***Raquel Centeno*** is a Ph.D. student at the University of Southern California in the Political Science and International Relations Ph.D. program.