

**State Defendants' Response to Brooks, LULAC, and
MALC Plaintiffs' Joint Motion for Preliminary Injunction**

Exhibit B

Wallace Turner, California G.O.P. Seeks to Void Redistricting, NYTimes (Sep. 22, 1981), <https://www.nytimes.com/1981/09/22/us/california-gop-seeks-to-void-redistricting.html>.

Document title: CALIFORNIA G.O.P. SEEKS TO VOID REDISTRICTING - The New York Times

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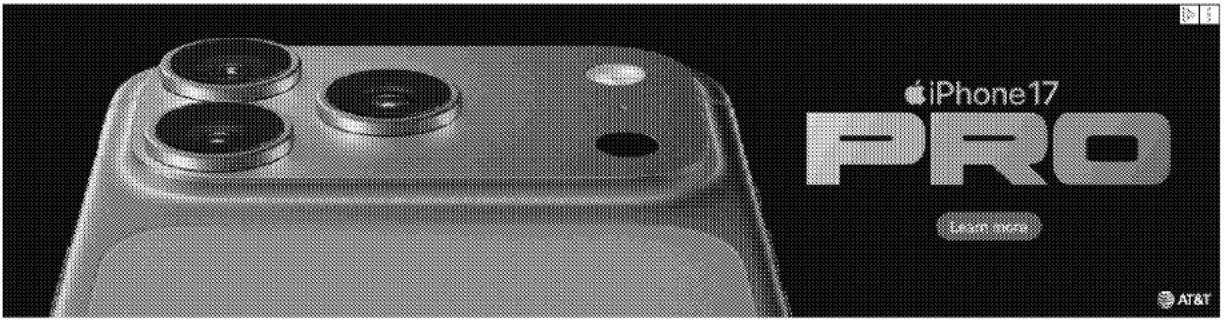
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CALIFORNIA G.O.P. SEEKS TO VOID REDISTRICTING

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By Wallace Turner, Special To the New York Times

Sept. 22, 1981



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Cries of "foul" and "vote theft" hang heavy on the land here as the Republicans prepare a referendum drive to reverse a law that reapportions the California Senate and Assembly as well as the state's 45-member delegation to the United States House of

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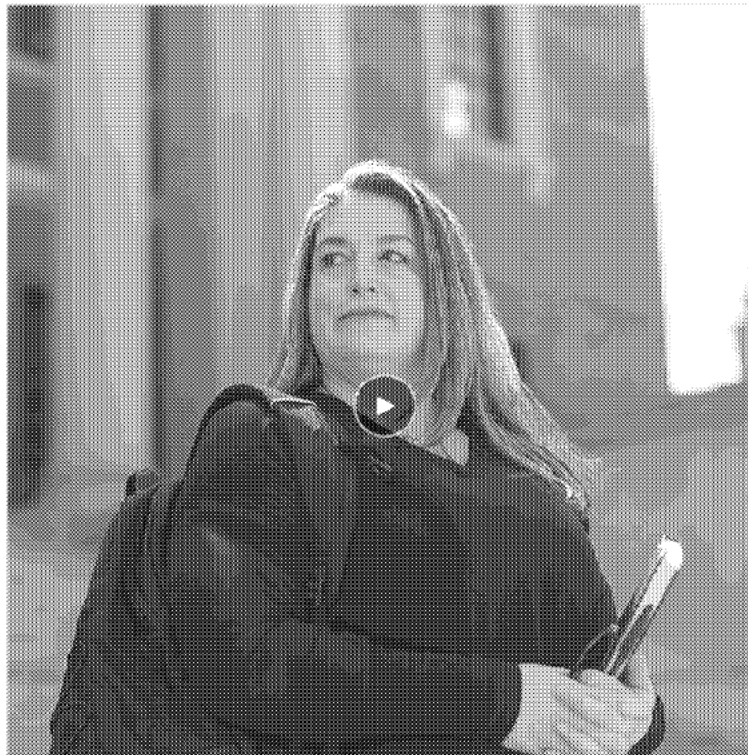
Republicans prepare a referendum drive to reverse a law that reapportions the California Senate and Assembly as well as the state's 45-member delegation to the United States House of Representatives.

The Republicans contend that the law, voted by the Democrats who control the California Legislature and signed last week by the Democratic Governor, Edmund G. Brown Jr., would severely hurt the election prospects of their candidates in the 1982 elections.

"We're willing to spend whatever we have to spend," said Senator William Campbell of Los Angeles, Republican leader of the state Senate. "I think it will run \$400,000 or more."

The Republican strategy, as thus far disclosed, is to get the signatures of 346,119 registered voters on petitions calling for a vote next June on the reapportionment bill that the Democrats pushed through the Legislature.

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The Republicans have 90 days from the date the bill was signed. Governor Brown signed the bill just before midnight Thursday, thus effectively cutting one day off the Republicans' timetable. But they had jumped the gun just a little, too, by going ahead of time to Attorney General George Deukmejian, a Republican, to get official approval on the language of their petitions. Ruling by Supreme

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...CALIFORNIA G.O.P. SEEKS TO VOID REDISTRICTING
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Attorney General George Deukmejian, a Republican, to get official
approval on the language of their petitions. Ruling by Supreme
Court

A United States Supreme Court decision of 1962, requiring that legislative districts at all levels of government have roughly the same population, started wheels rolling on reapportionment. In the middle 1960's, California's legislative and Congressional seats were redistricted without serious dispute.

In 1971, after the 1970 Census, Gov. Ronald Reagan vetoed new redistricting plans that the Democrats in the Legislature had created. Special masters appointed by the California Supreme Court proposed a plan that was adopted under the court's order in time for the 1974 elections.

What happened in the California Congressional districts this year may become an illustration of the new art of redistricting. The artist was United States Representative Phillip Burton of San Francisco, who assumed control of reshuffling delegation seats from the Legislature, which has that responsibility. The Assembly and Senate in Sacramento accepted the Democrat's plan and passed it along with their own plans for redistricting the state Senate and Assembly. The Republican referendum effort attacks all three plans. G.O.P. Fears Loss of Seats

The Republicans believe that unless they can block Mr. Burton's plan through their referendum, it will result next year in the election of as many as 28 Democrats and as few as 17 Republicans to the House. This year, with a 43-member delegation, the split is 22 Democrats to 21 Republicans, and even the optimistic Republicans see the Democrats winning 26 seats to the Republicans' 19. The 1980 Census gave California two additional seats in the House.

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"Now in the last election, the Republicans got 52 percent of the

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"Now in the last election, the Republicans got 53 percent of the vote for Congress that was cast in California," said State Senator Campbell. "We believe that what the Democrats are up to is a major form of ballot box stuffing. We have no choice but to go to the people."

Perhaps the most interesting districts created in Representative Burton's plans have designs that benefit his brother, United States Representative John L. Burton, who represents a part of San Francisco. Last year, John Burton was re-elected with 51 percent of the vote, and his Republican opponent, Dennis McQuaid, promised to come back in 1982 to try again.

The new John Burton district will have heavily Democratic areas of San Francisco added to it, along with the City of Vallejo, which is across the bay 30 miles or so away from the rest of the district and unconnected to it.

"Oh, it's gorgeous," Philip Burton said recently to reporters of his handiwork in sculpturing a district to enhance his brother's chances of re-election.

"I just hope he swims well," State Senator Campbell said of Representative John Burton. **2 Incumbents in Same District**

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The plan also creates havoc among established Republican districts in the House by rearranging them so two incumbents are in the same new district. Such arrangements affect John H. Rousellot and Carlos J. Moorhead, and to David Dreier and Wayne Grisham, all Republicans in the Los Angeles area. In addition, Representative Robert K. Dornan's district has lost big chunks of Republican voters.

Bobbi Feidler, a Representative who squeaked into a longtime Democratic seat last year, now finds her residence in the district of

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Bobbi Feidler, a Representative who squeaked into a longtime Democratic seat last year, now finds her residence in the district of a fellow Republican, Barry Goldwater Jr. Representative Feidler's victory was one of those attributed by commentators here to the poor showing of the Carter Presidential campaign and particularly to apathy created among last-minute Democratic voters by Mr. Carter's concession announcement three hours before polls closed in California. Republicans defeated four Democratic incumbents in House races here last year.

The Republicans had their own reapportionment plan. They relied on a computer operated at Claremont Men's College at Claremont by the Rose Institute, which is an adjunct of Claremont's political science department.

The institute had a grant from the California Roundtable, whose members are mostly Republican business executives, to study reapportionment. In June it produced a "model" plan for Congressional redistricting that it said would result in the election of about 24 Democrats and 21 Republicans in 1982. The Democrats were not interested.

Thomas B. Hofeller, former associate director of the institute, said of the new reapportionment: "This is gerrymandering at its most acute level. They probably should award Phillip Burton, Michael Berman and Dr. Leroy Hardy the 'Gerrymander of the Year Award.' "

Mr. Berman and Dr. Hardy were Mr. Burton's advisers in drawing up the plan, Mr. Hofeller said. Mr. Hofeller said he would soon begin his new job as a Reagan Administration appointee in the Bureau of the Census.

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- **Past Meets Present:** Gov. Gavin Newsom and Democratic state lawmakers have focused on pocketbook concerns this year, backtracking on signature green initiatives.
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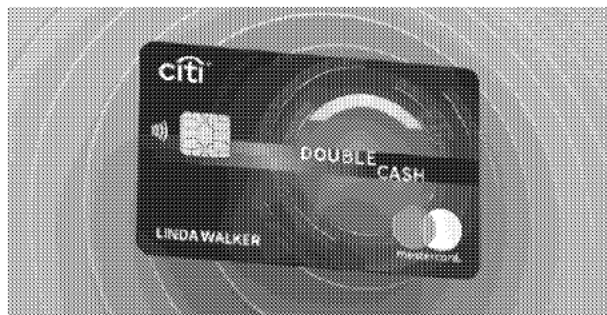
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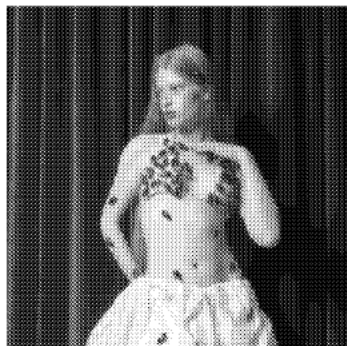
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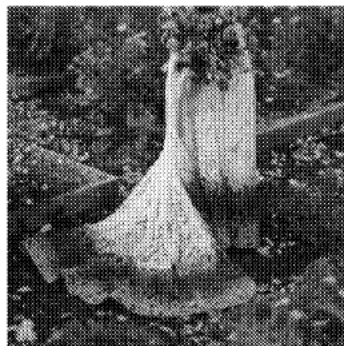
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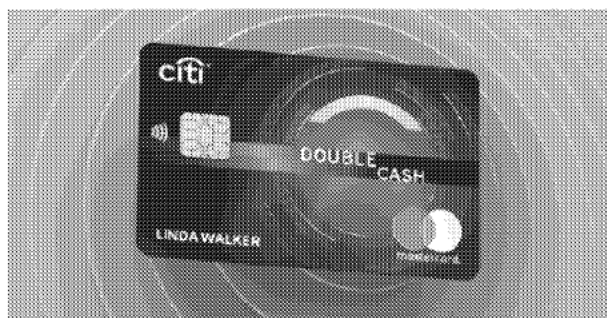
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