



MALDEF

Mexican American Legal Defense and Educational Fund

MALDEF Opposes the California Voters First Initiative

A Summary of MALDEF's Position

- The initiative's redistricting commission that will draw California's state legislative and Board of Equalization districts will not reflect the socio-economic, gender, racial and ethnic diversity of California's population. The initiative has no guarantees of ensuring diversity in the applicant pool.
- The initiative mandates new, problematic redistricting criteria that will undermine the ability to maximize minority representation. The requirements to keep city and county boundaries intact and the nesting requirement – where two assembly districts are created to sit wholly within one senate district – will compromise the commission's ability to maximize minority representation.
- The initiative's redistricting criteria could greatly undermine the ability to maximize minority community voting interests in light of the U.S. Supreme Court's decision to review the *Bartlett v. Strickland* case later this year. The Court will consider whether a district that has a history of electing minority candidates and is not a majority minority district must be redrawn so that county boundaries remain intact, in order to comply with a state redistricting criterion. If the Supreme Court decides that minority communities can be split in order to comply with state redistricting criteria, this initiative will greatly undermine minority representation.
- The initiative separates legislative and Congressional line drawing into two separate redistricting authorities and processes, where the state legislature maintains authority over Congressional redistricting and the proposed commission has authority over state legislative and Board of Equalization redistricting. This two-track system makes it more difficult for community groups to provide meaningful public input to the redistricting process because it will likely result in separate and simultaneous redistricting processes that will compete for public input but will result in diminishing it.
- The initiative eliminates public accountability. It puts State Auditors, who are not accountable to the electorate, in charge of selecting the commission members. The resulting redistricting commissioners are also unelected and are insulated from public accountability.
- The initiative's requirement that both major political parties have equal representation on the commission artificially inflates the influence of a political party with relatively few Latinos and African Americans.