



October 6, 2021

*Via Email*

Long Beach Independent Redistricting Commission  
411 West Ocean Boulevard  
Long Beach, CA 90802  
[redistricting@longbeach.gov](mailto:redistricting@longbeach.gov)

**Re: Concerns re Long Beach City Council's Redistricting Process**

Dear Members of the Long Beach Independent Redistricting Commission:

The Commission is constitutionally and statutorily required to adopt a new district map that balances the population among the districts and complies with other redistricting criteria before the City Council's April and June 2022 elections. The City Charter unambiguously prohibits the Commission from splitting census blocks unless higher ranked criteria require the Commission to do so. While we appreciate the Commission's hard work and dedicated efforts to collect community of interest testimony, hear the voices of Long Beach residents, and foster an inclusive process, we are extremely concerned by comments from some Commissioners during the September 22, 2021 meeting. At that meeting, some Commissioners indicated that, to have more time to draw maps—and in particular, to explore the possibility of splitting census blocks—they may fail to fulfill their responsibilities by allowing the use of a map in 2022 with districts that are not substantially equal in population and that violate other mandatory criteria.

The City must redraw City Council lines following the release of decennial census data to “achiev[e] fair and effective representation” for all residents. *Reynolds v. Sims*, 377 U.S. 533, 565-66 (1964); *id.* at 560-61 (noting that “the fundamental principle of representative government in this country” mandates “equal representation for equal numbers of people”). The purpose of periodic redistricting is to “maintain[ ] a reasonably current scheme of legislative representation” that reflects, among other things, population changes. *See id.* at 583-84. This requirement is not permissive. The United States Supreme Court requires jurisdictions to have a reasonable plan for periodic revision of district maps, *id.* at 583, and courts consistently invalidate malapportioned maps—that is, maps that do not adequately balance the population, *see, e.g., Kirkpatrick v. Preisler*, 394 U.S. 526, 528-29 (1969) (invalidating malapportioned state legislative plan); *Nation v. San Juan Cnty.*, 150 F. Supp. 3d 1253, 1272 (D. Utah 2015) (invalidating malapportioned school board plan). Updated 2020 census data, adjusted to reflect prisoner reallocation, show that Long Beach's total census population deviation across Council districts is 14.7%,<sup>1</sup> confirming that current Long Beach City Council districts are malapportioned and, thus, illegal. The City cannot therefore hold its 2022 City Council elections under the current City Council district map.

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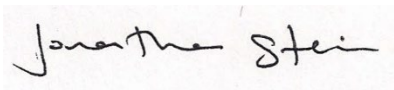
<sup>1</sup> *See* Redistricting Partners Inc. Report on 2020 Redistricting Data Update:  
<http://longbeach.legistar.com/View.ashx?M=F&ID=9866286&GUID=AE9EBC5F-082F-418A-91C9-9D8F69BB6AB4>.

To ensure that new, fair lines are in place in time for the 2022 City Council elections, the Commission has been working for at least eight months to prepare to draw new maps and has been collecting community of interest testimony and reviewing census and other data for the last four months. The Commission is well ahead of many other jurisdictions with larger populations that also have December map-adoption deadlines. For example, although Orange County started hosting community meetings in August of this year, the Board is still on track to adopt a final map by December 15. Given your extensive work this past year, there is no reason for the Commission to disenfranchise Long Beach communities by forcing the Los Angeles County Registrar of Voters to use existing, malapportioned lines during next year's City Council elections.

The City Charter provides that “[a]ll lines must correspond to census blocks in order to preserve the validity of data and avoid arbitrary boundaries.” Long Beach City Charter § 2506(b)(7). The plain language of the Charter prohibits the Commission from splitting census blocks unless higher ranked criteria require the Commission to do so. *Id.* § 2506(b). Even if there was a question about this issue, this is not a sufficient reason to delay the adoption of a new City Council map that complies with local and federal law. The existing districts are not substantially equal in population and fail to account for communities of interest that have developed or evolved in the last decade. The Commission cannot and should not delay the adoption of a fair map and violate the United States Constitution to continue discussion of the census blocks issue.

Long Beach voters established the Commission to address the issue of incumbents drawing lines that keep them in power instead of drawing a community-centered map. It would be a perverse result for this Commission to leave in place the map that the City Council drew in 2011 which, as census data and public testimony confirm, is malapportioned and breaks up communities of interest. We urge you to refocus your attention on what's most important: taking this opportunity to draw a fair and inclusive map and submit it to the Los Angeles County Registrar on or before December 7, 2021. If you have any questions, please do not hesitate to contact us at [jstein@commoncause.org](mailto:jstein@commoncause.org) and [jgomez@aclusocal.org](mailto:jgomez@aclusocal.org).

Sincerely,



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