October 11, 2021

California Citizens Redistricting Commission
721 Capitol Mall, Suite 260
Sacramento, CA 95814

Dear Commissioners,

Thank you for your commitment to ensuring a fair and equitable redistricting process that recognizes California’s LGBTQ+ [lesbian, gay, bisexual, transgender and queer] community. As the nation’s largest statewide LGBTQ+ civil rights organization, Equality California writes to formally submit our LGBTQ+ Unity Maps for the 2021 redistricting cycle.

The LGBTQ+ Unity Maps identify the geographically connected LGBTQ+ communities in Sacramento, the Bay Area, Los Angeles, Long Beach, San Diego and Coachella Valley and share recommendations for the Assembly, Senate, and Congressional districts that will best unify the LGBTQ+ community and empower the community to elect candidates of choice — both LGBTQ+ people and candidates who are responsive to the LGBTQ+ community’s unique needs.

The comprehensive data informing these maps was compiled from membership data of local, state and national LGBTQ+ organizations in a collaborative effort to identify where LGBTQ+ communities live. This was necessary because of the historical barriers and institutional obstacles that limit data on members of our community. These maps allow all LGBTQ+ voices to be heard and continue the historic precedent of LGBTQ+ input in California’s redistricting process – dating back to 1978, when California’s first openly gay man to serve as an elected official in California, Harvey Milk, was elected due to fair and equitable redistricting in San Francisco.

Additionally, in recognition of the LGBTQ+ community’s racial and ethnic diversity, our LGBTQ+ Unity Maps were developed with significant consideration of the Voting Rights Act interests of Asian American and Pacific Islander [AAPI], African American/Black and Latinx/Hispanic communities, as well as other ethnic and religious communities of interests and neighborhoods. Redistricting criteria such as contiguity, compactness and respect for political subdivisions such as city and county boundaries were also included ensuring that the LGBTQ+ Unity Maps meet the legal criteria of line-drawing in California.
While our community has not always been considered a community of interest in the redistricting process — in part due to a history of official discrimination that has excluded us from the U.S. Census — we attest that so long as an LGBTQ+ community can be shown within a contiguous population, the shared social and economic interests of LGBTQ+ people require that LGBTQ+ communities be considered communities of interest. Thus, the California Citizens Redistricting Commission must draw district lines that take effort to minimize the division of LGBTQ+ communities. In so doing, the California Citizens Redistricting Commission are not limited to considering the U.S. census data and can consider other data sources such as personal testimony, community surveys and polling. Indeed, the 2011 California Redistricting Commission considered LGBTQ+ communities of interest in drawing district lines.

We hope the 2021 Redistricting Commission continues to recognize the LGBTQ+ community as a community of interest in the redistricting process and allows California to remain a beacon of hope to LGBTQ+ people across the world.

Thank you for accepting our submission. Please feel free to contact Jeremy Payne [jeremy@eqca.org] and Samuel Garrett-Pate [sam@eqca.org] with Equality California with any questions you may have and to assist in communication with partners.

Sincerely,

Tony Hoang
Executive Director-designate
Equality California

**PRIORITY DISTRICT SUMMARIES**

**Sacramento**
The City of Sacramento has a significant and clustered LGBTQ+ population that resides in the local neighborhoods of Johnston Business Park, Mansion Flats, New Era Park, Boulevard Park, Downtown Sacramento, Midtown, Newton Booth, Alhambra Triangle, Med Center, Curtis Park, Land Park, Tahoe Park and a portion of West Tahoe Park. The City of Sacramento’s Midtown neighborhood includes what is commonly referred to as “Lavender Heights” and contains the Sacramento LGBT Community Center, Lavender Library and many other LGBTQ+ establishments and places of gathering that serve LGBTQ+ residents from across the city and county. To keep our LGBTQ+ community together and ensure that the LGBTQ+ community of interest has the opportunity to elect candidates of choice, Equality California recommends the following Assembly, Senate and Congressional districts in the Sacramento area.
Congressional District 6
San Francisco Bay Area - East Bay
The Bay Area is home to a rich and diverse LGBTQ+ population with many dense population clusters in the East Bay region, San Francisco and South Bay region. Given the LGBTQ+ population size in this region, it is not possible to create a single district for all LGBTQ+ people in the Bay Area, so Equality California recommends giving each LGBTQ+ community of interest its own individual attention and consideration – East Bay Region LGBTQ+ Community of Interest, San Francisco LGBTQ+ Community of Interest and South Bay Region LGBTQ+ Community of Interest.

The East Bay region stretching from the City of El Cerrito in the north and traveling south through Albany, Berkeley, Emeryville and northern and downtown Oakland, have all served as major building blocks of the local LGBTQ+ communities in the East Bay and have a history of voting cohesively to elect candidates of choice — both members of the LGBTQ+ community and officials who have been consistently responsive to the LGBTQ+ community’s needs. The activism of East Bay LGBTQ+ community of interest and their candidates of choice can best be seen locally where they have elected diverse LGBTQ+ leaders in the cities of El Cerrito, Berkeley, Emeryville and Oakland, demonstrating cohesive voting patterns while also paving the way for LGBTQ+ representation that reflects the community’s diversity. Equality California recommends the following Assembly, Senate and Congressional districts in the East Bay region.
Senate District 9
San Francisco Bay Area – City of San Francisco
Within San Francisco, there is a geographically dense cluster of LGBTQ+ residents that reside in the Castro, an internationally recognizable LGBTQ+ community; the LGBTQ+ and Leather Cultural District, which encompasses much of SOMA, the Tenderloin, Transgender District and site of the famed Compton’s Cafeteria Riots; as well as the neighborhoods of Twin Peaks, West of Twin Peaks, Diamond Heights, Noe Valley, Glen Park and Bayview. Possibly more so than other LGBTQ+ communities of interest, this community has shown a long history of organizing and activism that dates back to 1970s, when this community was able to elect a candidate of choice for the first time – Harvey Milk. Since then, the community has continued to elect openly LGBTQ+ elected officials for the last two decades, many of whom have gone on to represent San Francisco in the State Assembly and Senate. In 2011, the California Citizen’s Redistricting Commission worked diligently to keep this LGBTQ+ community of interest together. This year, Equality California is recommending the following Assembly, Senate and Congressional districts to build off this legacy and keep the LGBTQ+ community of San Francisco united.
Assembly District 17
Senate District 11
Congressional District 12
San Francisco Bay Area - South Bay
The South Bay region is geographically robust and culturally diverse yet the South Bay LGBTQ+ community of interest has remained deeply rooted and connected with one another, particularly in Santa Clara County. The South Bay/Santa Clara County LGBTQ+ community of interest has demonstrated this through their uniform voting habits. They elected San Jose’s first LGBTQ+ elected official in 2000, who departed in 2006 when he became the first LGBTQ+ person elected to the Santa Clara County Board of Supervisors, and since then the city has seen several local LGBTQ+ candidates demonstrating the influence of positive representation. In the nearby cities of Sunnyvale and Mountain View, the same Santa Clara County LGBTQ+ community of interest helped to elect the first-ever Latina and openly queer person to the Sunnyvale City Council in 2020 and the youngest and first openly LGBT elected official to the Mountain View City Council in 2012. This history of successful LGBTQ+ representation in the South Bay continues to this day and demonstrates a sizable and thriving LGBTQ+ community of interest in the area. This LGBTQ+ community is a priority and as such Equality California recommends the following districts in the South Bay.
Los Angeles
The City and County of Los Angeles is home to an expansive and culturally intersectional LGBTQ+ community that is connected through a rich history of LGBTQ+ civic activism dating back to the 1967 Black Cat Riot, which erupted in response to police brutality experienced by LGBTQ+ people – marking one of the first LGBTQ+ demonstrations in the United States. This solidarity and sense of belonging among Los Angeles LGBTQ+ residents continue to this day with several LGBTQ+ businesses and community spaces thriving in neighborhoods from Silver Lake and Los Feliz to North Hollywood and Studio City, to Hollywood and West Hollywood, to Santa Monica and Venice. Iconic LGBTQ+ institutions like the City of West Hollywood, the first city in the nation to have a majority openly gay governing board in 1983, also serve as a reminder to the LGBTQ+ community what is possible through community organizing and advocacy. With this experience and drive, the LGBTQ+ community of interest in Los Angeles has actively organized around LGBTQ+ candidates of choice and made history for the LGBTQ+ community in the city, county and state.

In West Los Angeles, the Los Angeles LGBTQ+ community of interest elected California’s first openly LGBTQ+ state legislator to the Assembly in 1994. She went on to become the first female Speaker Pro Tem of the Assembly, the first openly LGBTQ+ member of the California Senate and she now serves as the first openly LGBTQ+ member of the Los Angeles County Board of Supervisors — repeatedly elected to represent many members of this geographically specific LGBTQ+ community of interest.

In the northeast, the LGBTQ+ community of interest elected the first openly LGBTQ+ woman to serve on the Los Angeles City Council in 1993, after previously electing her to serve on the LAUSD Board of Education in 1983. She won reelection in 1997 without opposition, was elected to the California Assembly in 2001, where she served until 2007, and she was recently reelected to serve on the LAUSD Board of Education in 2019.

To maintain the organizing power of Los Angeles’ LGBTQ+ community, Equality California recommends the following Assembly, Senate and District districts in the Los Angeles area.
Congressional District 28
Long Beach
In the City of Long Beach, the coastal neighborhoods stretching from downtown to Belmont Heights and Belmont Shore and north to Signal Hill have all served as major building blocks of the local LGBTQ+ community in Long Beach and contributed to the organizing success of this deeply rooted and unified local LGBTQ+ community who has been able to elect candidates of choice – both LGBTQ+ and allied officials who have been consistently responsive to Long Beach’s LGBTQ+ community. In 2009, Long Beach’s LGBTQ+ community of interest elected an openly LGBTQ+ city councilmember, who has since gone on to become the city’s first openly LGBTQ+, first Latino and first person of color to serve as Mayor of Long Beach. This same LGBTQ+ community of interest also helped elect an openly LGBTQ+ member of the State Assembly in 2010, who went on to represent them in the California Senate from 2012 until 2019, when he was sworn in as the first openly LGBTQ+ person to be elected to statewide office in California history. Recognizing the solidarity and activism of Long Beach’s LGBTQ+ community, Equality California recommends the following Assembly, Senate and Congressional districts to best keep this community together as they pave the wave for LGBTQ+ representation.
Congressional District 47
San Diego
In San Diego County, there is a very significant, geographically specific LGBTQ+ community of interest that densely populates the neighborhoods of Mission Hills, Hillcrest, North Park, South Park, Normal Heights, University Heights and Kensington. For the LGBTQ+ community, these neighborhoods have served as major building blocks of community organizing and leadership, and these neighborhoods have a history of voting cohesively to elected candidates of choice – both members of the LGBTQ+ community and officials who have been consistently responsive to the LGBTQ+ community’s needs.

In fact, this collection of neighborhoods over the past three redistricting cycles have almost all been part of the 3rd City Council District in the City of San Diego, where the past five city council members elected there have all been out LGBTQ+ individuals who are responsive to the LGBTQ+ community of interest and its needs. Importantly, the four councilmembers who previously occupied the seat have gone on to serve as members and leaders of the California Legislature and as mayor of the City of San Diego — again reinforcing the fact that when the local LGBTQ+ community of interest is empowered to elect candidates of choice, they are able to elect officials who are responsive to the community’s needs at all levels of government. To keep San Diego’s LGBTQ+ community empowered and civically engaged, Equality California recommends the following Assembly, Senate and Congressional Districts.
Coachella Valley
In the Coachella Valley, there is a prominent LGBTQ+ population that resides in the cities bordered by the San Jacinto and Little San Bernardino Mountain ranges. This area extends from Palm Springs and Cathedral City in the northwest to La Quinto and Indio in the southeast. This LGBTQ+ community of interest in large, vibrant and well-connected physically by the urban planning of the Coachella Valley allowing convenient travel from one city to the next, and culturally by the number of LGBTQ+ business and organizations in the valley that are frequented by members of the community. Despite being physically, culturally and politically united, the LGBTQ+ community in the Coachella Valley has historically been divided by subdivisions in the Assembly and Senate. To allow the LGBTQ+ community of interest to truly be united, Equality California recommends the following Assembly, Senate and Congressional districts in the Coachella Valley area.
Congressional District 36
LEGAL FRAMEWORK

The Supreme Court of the United States has mandated that communities of common interest be considered in redistricting efforts.\(^1\) Redistricting in the State of California is governed by Article XXI of the California Constitution. Article XXI sets out the process a 14-member Citizens Redistricting Commission ("Commission") must follow as it draws the lines for California Assembly and Senate districts, federal Congressional districts and Board of Equalization districts. Section 2(d)(4) of Article XXI requires the Commission to consider communities of interest in establishing districts and defines “community of interest” as:

[A] contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

California courts have developed factors to guide the analysis of whether a community falls within this definition. For example, the California Supreme Court illustrated the wide range of communities that fall within this definition, including communities with similar economic interests, travel patterns, and geographic interests.\(^2\) Similarly, a California federal court explained that, “in defining communities of interest, [it] must look to socioeconomic status, education, employment, [and] health.”\(^3\) Based on these factors, that court defined a Latino community “fac[ing] similar issues,” including issues “related to … public health,” as a community of interest.\(^4\) Courts in other states have also developed factors for determining whether a community is a community of interest, including “share[d] … service organizations [and] … health clinics”\(^5\) and “social, historical, and cultural bonds.”\(^6\)

Scholars have supplemented the work of courts, also offering insight as to what factors are key in defining communities of interest. These factors include [1] discrimination related to socioeconomic status, education, health, and employment,\(^7\) [2] historical affiliation,\(^8\) [3]...

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\(^2\) See Legislature v. Reinecke, 518 P.2d 6, 19 [Cal. 1973].
\(^3\) Luna v. Cty. of Kern, No. 116CVO05680ADJ.LT, 2017 WL 2379934, at *6 [E.D. Cal. June 1, 2017].
\(^4\) Id.
\(^7\) Stephen J. Malone, Recognizing Communities of Interest in A Legislative Apportionment Plan, 83 VA. L. REV. 461, 468 (1997).
\(^8\) Id.
“cultural... and social ties,”9 (4) “shared institutions,”10 and (5) “similar values [and] shared interests.”11

EXAMPLES OF “COMMUNITIES OF INTEREST”

Based on the factors described above, the Commission must determine what constitutes a community of interest within the bounds provided by the California Constitution. The Commission’s past redistricting efforts highlight the wide range of communities, including LGBTQ+ communities, that fall within the definition of community of interest. For example, when drawing Assembly, Senatorial, and Congressional districts, the 2011 Commission defined the following as communities of interest:

- Wine tourism industries;12
- Communities with recreational interests in a lake;13
- Populations across two cities that expressed in public testimony a shared sense of community;14
- A large concentrated population of Hmong immigrants;15
- Communities who expressed in testimony a shared commitment to coastal conservation;16
- An expansive retirement community with similar healthcare needs;17
- A community with similar social activities and nightlife;18

And most notably, several different communities of LGBTQ+ people.19

LGBTQ+ PEOPLE IN LOCAL COMMUNITIES ARE “COMMUNITIES OF INTEREST”

As defined by the law, geographically connected LGBTQ+ communities are communities of interest that should be considered in redistricting efforts. So long as an LGBTQ+ community can be shown to be within a contiguous population, the numerous shared social and economic interests of LGBTQ+ people require that LGBTQ+ communities be considered communities of interest. Thus, redistricting commissions must draw district lines that take effort to minimize the division of LGBTQ+ communities.

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9 Tarry Hum, Redistricting and the New Demographics: Defining “Communities of Interest” in New York City, 14-15 (2002).
10 Id.
13 Id. at 29.
14 Id.
15 Id.
16 Id. at 32.
17 Id. at 35.
18 Id. at 37.
19 Id. at 30, 51, 54, 62.
Many LGBTQ+ people are geographically concentrated such that they may be considered a “contiguous population.” For example, LGBTQ+ people make up approximately 5.3% of adults within California. And there are many geographically compact pockets of the LGBTQ+ community within California. For example, there is already documentation of compact communities of LGBTQ+ people in West Hollywood, the Castro in San Francisco, and in Hillcrest in San Diego. These LGBTQ+ communities have already been considered by the 2011 Commission in drawing California Assembly District 17, Senate District 39, and Congressional Districts 12, 52, and 53.

These are not the only potential LGBTQ+ communities that may be considered. There is no bright-line population percentage required to be considered a community of interest. In addition to the percentage of LGBTQ+ people in any given area, other factors such as the population growth or relative concentration of LGBTQ+ people may establish that there is a geographically “contiguous population” required for a community of interest. And these facts need not be established by U.S. Census data. Many other data sources, such as personal testimony, community surveys, and polling, have been relied upon in determining communities of interest.

COMMUNITIES OF LGBTQ+ PEOPLE SHARE COMMON “SOCIAL AND ECONOMIC INTERESTS”

LGBTQ+ people broadly share common social and economic interests, and individual communities may further share more specific interests. In particular, LGBTQ+ people share employment, healthcare, cultural, and historic interests, among others. These common interests have been recognized as creating a community of interest.

Employment: The court in Luna recognized shared employment interests as a valid rationale for a community of interest. LGBTQ+ people share common interests in employment, and in particular, in prevention of employment discrimination. In a 2017 study, 59% of LGBTQ+ people believed that they had fewer employment opportunities because they were LGBTQ+.

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24 See Citizens Redistricting Commission, supra note 16.
Twenty percent of LGBTQ+ people reported experiencing discrimination based on sexual orientation or gender identity when applying for jobs. The Supreme Court has recognized the need for employment protections on the basis of sexual orientation.

In addition to the general LGBTQ+ employment concerns, certain LGBTQ+ communities may share further employment interests on the basis of being concentrated in certain fields. For example, nearly 40% of LGBTQ+ people, as compared to 22% of non-LGBTQ+ people, are concentrated in five fields: [1] restaurant and food services; [2] hospitals; [3] K-12 education; [4] colleges and universities; and [5] retail. To the extent LGBTQ+ people are concentrated in these or other fields in a particular community, the particular interests of the fields may be further shared employment concerns.

Healthcare: The court in Luna also recognized shared health interests as a valid rationale for a community of interest. LGBTQ+ people share many common healthcare interests, including barriers to access, risk of disease, and discrimination. LGBTQ+ people are at a heightened risk for physical and mental health problems, due to associated “social and structural inequities.” In addition to concerns regarding prevention of HIV/AIDS, LGBTQ+ people are at heightened risk for mental health problems. LGBTQ+ people are twice as likely to be uninsured, and report having difficulty accessing adequate, non-discriminatory health providers.

In addition to general healthcare concerns, individuals may be able to point to specific clinics or healthcare service providers in the community that service LGBTQ+ people. This can be a particularly concrete, powerful example of a shared interest.

Cultural/Social Ties: Multiple courts and scholars have identified shared cultural interests as valid bases for a community of interest. Over sixty percent of LGBTQ+ adults identified being LGBTQ+ as at least ”somewhat important” to their overall identity. And LGBTQ+-specific community engagement, such as pride events, LGBTQ+ rights activism, and LGBTQ+

29 Id.
30 Bostock v. Clayton County, Georgia, 590 U.S. ___ (2020).
36 Id.
organization membership, are important to large portions of the LGBTQ+ community. Further, LGBTQ+ persons have shared cultural interests in the maintenance of queer gathering places.

In addition to general cultural interests, individual communities may be able to craft more specifically tailored interests based on community-specific events, organizations, and spaces that cater to LGBTQ+ people. For example, specific LGBTQ+ businesses or social groups may provide concrete examples for a community of interest.

**Historical Bonds** Courts and scholars have recognized shared historical bonds as valid bases for a community of interest. LGBTQ+ people have shared a history of legal discrimination and social discrimination that have resulted in shared political interests. This shared discrimination includes marriage inequality, discrimination based on intimate relationships, and ongoing discrimination in housing and other accommodations. The shared legal discrimination has resulted in common political goals among LGBTQ+ people to remedy the discrimination. Additionally, LGBTQ+ people have been historically underrepresented in elected office.

The shared history of legal discrimination of LGBTQ+ people includes the criminal justice system. LGBTQ+ people, and in particular transgendered people, are arrested and incarcerated at higher rates than non-LGBTQ+ people: they are 2.25 times more likely to be arrested and over 3 times more likely to be incarcerated. These statistics reflect law enforcement’s unequal treatment of the LGBTQ+ community and evince LGBTQ+ people’s particular shared interest in law enforcement issues. Notably, oversight of law enforcement may occur at various levels of government. For example, the City of West Hollywood contracts the Los Angeles County Sheriff’s Department, and not a local city police, to provide public safety services. Thus, it is particularly important for LGBTQ+ communities to be properly represented at all levels.

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40 See id.
44 See *Obergefell*, supra note 2.
Thus, due to the shared interests in employment and other economic concerns, healthcare, cultural/social ties, and historical bonds, LGBTQ+ people should be considered cohesive “communities of interest,” and should be minimally divided in district drawing efforts.