

Please SEE:

http://enewspaper.sandiegouniontribune.com/infinity/article_share.aspx?guid=2e1e6168-2f7e-49b3-a691-924ced180788



On December 3, 2021, David Garrick, of the San Diego Union Tribune wrote: "More Boundary Changes Mulled, page B1 at

http://enewspaper.sandiegouniontribune.com/infinity/article_share.aspx?guid=47ed28b3-f127-48a9-a71a-0cb83221ead3

John stump responded to Mr. Garrick by Email:

David,

Yes, you are correct in reporting how the schemers are spinning the problem.

That spin comparison, is wrong under **Gingles**, as stated in the attached letter, at page 3, from the SD Redistricting Commission's Attorney is as follows:

"As relevant to redistricting, the United States Supreme Court has held: "The essence of a Section 2 claim is that a certain electoral law, practice, or structure interacts with social and **historical conditions** to cause an inequality in the opportunities enjoyed by [minority] and white voters to elect their preferred representatives." Thornburg v. Gingles, (1986) 478 U.S. 30, 47 [emphasis added]

The point being that the Courts look to the historic conditions as implemented by the redistricting actions prospective actions.

The actions proposed in the preliminary Map, and strongly advocated by the Chairman- at the last meeting, gerrymanders by dilution the historical 2011 Hispanic /Latino participation the historical status quo ante. Making it worse, the some 11,000 new voters proposed by the Mission Valley addition was argued, by the Chairman to be supplemented by prospective future development residents from the SDSU West development. In otherwords D8 gets Whiter in the Preliminary Map and will be even Whiter when they build out SDSU WEST!

When the new SDSU West residents are added, the expectation of that addition to the proposed D9 would make it even Whiter. SEE: [San Diego State University Diversity: Racial Demographics & Other Stats - College Factual](#) The Chairman, at the last meeting, commented that part of his justification for adding Misson Valley was his belief that SDSU WEST would add thousands of new residents.

Another confusion, that is emerging in the district boundaries discussions, is that 2011 Redistricting for District 9 uniquely created the current difficulties. Changes in area distribution by Council Districts is because of an increase in population for the City of San Diego. The main challenge comes from the excessive growth in the D1 area. But for that excessive D1 growth the boundaries of the current districts, to balance the other Council district populations generally need not occur.

SDSU, the College area, Misson Valley, and Mission Trails park have traditionally been in Council district seven D7, since D7 was added to the Council.

People forget that the original boundary of the City of San Diego was only a small triangel from just north of La Jolla along Boundary Street to the middle of the bay at about Division Street. Everything else from D5 to D8 was added, by annexation, and required redistricting. Most of Mission Valley Kensington, Rolando and even Webster and areas to the east are recent additions that caused a redistricting.

The SD Redistricting commission has focused on "neighborhood" and planning areas to set boundaries but these features are not primarily the one the law requires to meet the charters mission "... ensure fair and equitable redistricting for all racial, ethnic and language minorities, and be in conformance with the requirements of the U.S. Constitution and federal statutes as amended and the San Diego Charter. " (BYLAWS & OPERATING PROCEDURES of the CITY OF SAN DIEGO 2020 REDISTRICTING COMMISSION, ARTICLE I – Name and Purpose, Section 3.). The law recognizes that folks often define their neighborhood or planning are based on inappropriate and frankly class and racial biases.

There seems to be little rational basis for many of the unnatural neighborhood or planning areas. [Having been the author of the City Heights Planning Area and Redevelopment Plan I know that these boundaries, for about 1/12th of the City's population, were set by default and political compromise rather than by cohesion of a common community of interest]

The current Preliminary Map is a scheme to gerrymander D9 back into a White voter dominated district like the good old Wilson Republican days. This nostalgic political longing to use redistricting

, by Republicans, to regain power has been reported as a national scheme SEE: [How Republicans Have an Edge in the Emerging 2022 Congressional Maps - The New York Times \(nytimes.com\)](https://www.nytimes.com/2022/01/12/us/politics/2022-congressional-maps.html) The Chairman's Preliminary Map has yet to provide any rationale or need to cross the natural geographical and infrastructure boundaries ; so that these new 11,000 residents must be added to D9. [A population balanced valid Redistricting Map can be made without the proposed gerrymandering dilution]

I have been active in San Diego politics and redistricting for more than five census. My City Heights house has been in several Council districts as the number of Districts changed and the population grew. The Wilson Era Scheme, before District Elections and the addition of 2 Council Districts; was to have a majority of White Council Districts with a single Yellow, Brown, and Black districts led by a Councilperson appointed to fill a vacancy and then elected in a City Wide high cash election. [Before District only elections, no candidate nominated by the District, in the primary, every won the City Wide General. This had been true for City Council elections and still is true at SD Unified.

At the last, SD Redistricting meeting the racial nature of the current Preliminary Map start to emerge by the White folks in El Cirrito, Redwood, Rolando and surrounds who are in denial concerning the high and increasing number of Africans at Craawford HS, IFTIN Elementary and surrounds. They expressed that the D9 boundary should be the 94 "Color Line' of the last century. I am sure you heard reaction, from the Black community, to these racially motivated comments, at the last meeting.

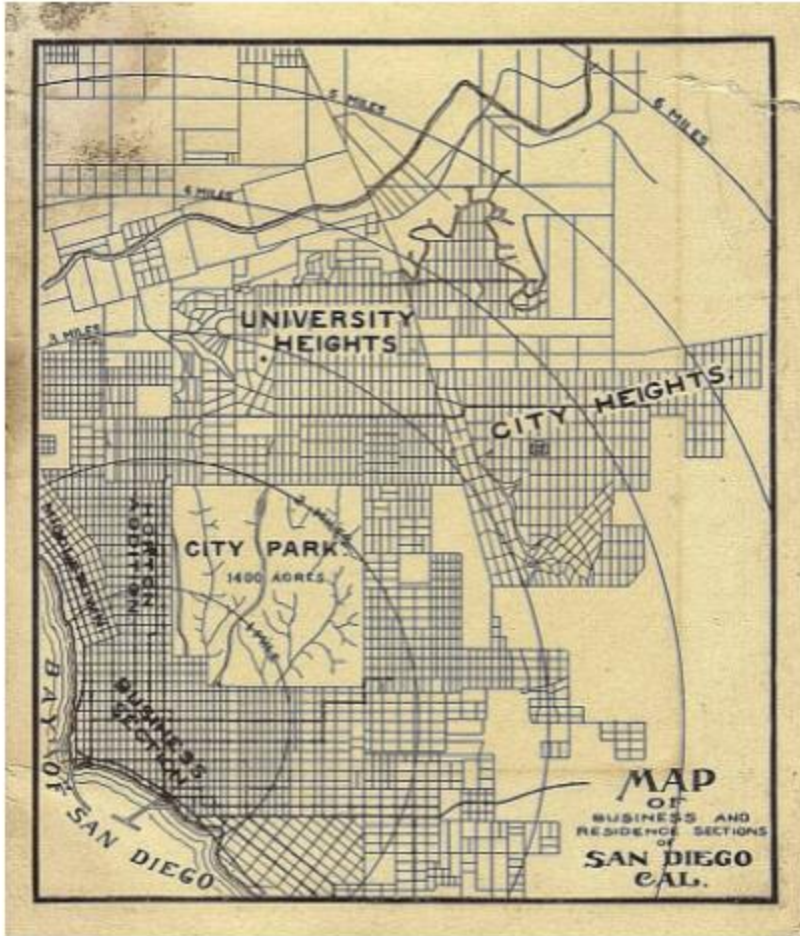
D4 has never had a large enough population to dominate the election of a councilperson. The consistent election of a Black person has been the result of Black political solidarity, outside money, and poor participation of the dominate Hispanic/Latino and Pan Asian populations. There has been a trend not to reelect D4 Councilpersons and the PAN Asian population made a significant showing in the last election. If the Black population is going to have a future presence in D4 it must unite with the African population surrounding Crawford HS and IFTIN; but this also is being gerrymandered out of the Preliminary Map for racial and religious reasons

I hope you also heard reactions from several of the Commissioners to both the dilution gerrymandering and the misallocation of traditional D7 features to D9. Please keep in mind that adoption of a Redistricting Map requires a super majority; so that the "NO" vote of 4 Commissioners stops any map.

All the best and Happy Holidays

John Stump 291 4663

BELOW is a pre annexation and pre Panama Exhibition Map of the City All the land East of the diagonal Boundary Street line was unincorporated East County, including City Heights



Earlier, John Stump submitted the following written testimony to the San Diego Redistricting Commission concerning the plans that would dilute the minority voting populations in Districts 4 and District 9

----- Original Message -----

From: JOHN STUMP <mrjohnstump@cox.net>

To: mrjohnstump@cox.net

Date: November 23, 2021 at 5:03 PM

Subject: Fwd: Comment for 5PM, TUESDAY, NOVEMBER 23RD MEETING Zoom Webinar:

<https://sandiego.zoomgov.com/j/1619156817> Participate by phone at 669-254-5252
(Webinar #1619156817)

Dear San Diego Redistricting Commission,

HAPPY THANKSGIVING

I hope you enjoy some sweet brown pumpkin or sweet potato pie as part of your Thanksgiving feast.



This sweet slice of pie is a graphic analogy to District Nine (D9) after the adopted Preliminary Map/Plan. As you can see the pie slice is a wedge shape proceeding south to the Mt. Hope area.

The sweet brown pie has been changed by the Chairman's addition of a huge dollop of whipping cream changing the nature and calorie count of this district desert, from its existing 2011 District Nine.

The proposed Gerrymandering of the new 2021 District Nine adds more Cream and violates the principal of containing a District within "Natural Boundaries" or as you Counsel called them "...*significant geographic or public infrastructure features...*". (Memorandum Preliminary Analysis of Draft Council District Maps, November 12, 2021, Page 2).

I heard the Chairman's and others rationale for entering into an entire new significant geographic area - Mission Valley / San Diego River and crossing over significant public infrastructure features - The brackets of local serving major roads between Friars Road and Camino Del Rio south AND the entire Interstate 8 Kumeyaay Freeway. That rationale was based on the future speculative residential development of San Diego State University (SDSU); so that new future development can keep that University together with its new campus on the overside of the river and roads.

Unfortunately, this rationale gerrymander dilutes existing the racial, ethnic, and language concentrations of the 2011 District Nine (D9). Further, it uses assumptions and techniques rejected for the residential student populations of the Pan Asian student,

faculty, and employees of the University of California of San Diego (UCSD) in the Preliminary Map/Plan for District Six (D6).

There are alternatives for linking San Diego State University - West with San Diego State University - East.; without diluting existing the racial, ethnic, and language concentrations of the 2011 District Nine (D9).

1. First, return all of the territory of existing the racial, ethnic, and language concentrations of the 2011 District Nine (D9).
2. Second, return all of the SDSU area to District Seven, as had been the conditions; prior to the expansion of the Council to Nine Districts.

I urge you not to gerrymander District Nine by including entire new geographical and infrastructure areas that dilute existing the racial, ethnic, and language concentrations of the 2011 District Nine (D9). Inclusion of these diluting gerrymandering features simply do not “... *ensure fair and equitable redistricting for all racial, ethnic and language minorities, and be in conformance with the requirements of the U.S. Constitution and federal statutes as amended and the San Diego Charter.*” (**BYLAWS & OPERATING PROCEDURES of the CITY OF SAN DIEGO 2020 REDISTRICTING COMMISSION, ARTICLE I – Name and Purpose, Section 3.**)

Again, Happy Thanksgiving

John Stump

Tuesday, November 23, 2021 at 5:00 p.m.

Live broadcast publicly available on Zoom Webinar:

<https://sandiego.zoomgov.com/j/1619156817>

Participate by phone at 669-254-5252 (Webinar #1619156817)

On November 18, 2021 at 1:26 PM Moore Stump <mrjohnstump@cox.net> wrote:

Please Distribute, Post, and include in record for

Thursday, November 18, 2021 at 3:00

Live broadcast publicly available on Zoom Webinar:

<https://sandiego.zoomgov.com/j/1613308818>

Participate by phone at 669-254-5252 (Webinar ID: 1613308818)

August 13, 2021

City of San Diego Independent Redistricting Commission

c/o: City Clerk Redistricting2020@saniego.gov; LJFleming@saniego.gov; CityClerk@saniego.gov; DFuentes@saniego.gov

202 C Street, MS 2A

San Diego, California 92101

RE: Initial Principals and Comments City Of San Diego Redistricting

Dear Honorable Chairman Hebrank, Honorable Vicechair Malbrough, and Honorable Commissioners,

Congratulations on your appointment to this most important Commission. Thank you for your service to our City. I have some initial principals and comments concerning the processes for accomplishing your important work. They follow:

16. "So the last shall be first, and the first last." MATTHEW 20:16. Please consider a district number neutral process. I suggest that your processes, to determine the nine Council Districts, be neutral as to the District number until you have followed the law and guidelines to form appropriate Districts. Only after that outcome neutral process; then assign District numbers randomly or by draw. Past practices have numbered the richest District NUMBER ONE and the poorest DistrictS Last, as Numbers 8 and 9. Please use different processes to assign District numbers and discontinue the top-down approach. Our City started along the San Diego River in Old Town and only later did it develop by the Bay in New Town. Coastal development was much latter. I suggest, because our Council elections are based on even and odd numbering that a random draw assignment be made for even and odd districts.

The numbering of Districts has some real practicable priority effects, for example District One is called on first to speak at Council and to Vote. Like the discredited law of **primogeniture**, the First Council District gets to announce its Budget priorities or express its opinions first. For initial Commission development and discussion purposes I suggest that draft districts be alphabetically designated until a random draw is held.

1. Natural geographical features like water sheds should be used as initial jumping off definitional boundaries for Council Districts. Use of watersheds do not follow any artificial political or incumbents' donor or constituency

interests. From time out of mind, the indigenous Kumeyaay peoples lived and organized along our City's nine (9) natural watersheds - Tijuana, Chollas, SD Bay Florida/Switzer, San Diego River, Famosa Slough, Los Peñasquitos, Mission Bay, La Jolla, and San Dieguito. The Bay and Coastal water quality is largely determined by the quality of water that flows into them from the water shed above them. Improving watershed conditions uphill determines the Bay and Beach qualities.

I believe that clean up and renovation of the City's water sheds would be advanced if each Council District had, at its core, a significant watershed to steward. The Coast, Beaches, and Bays are resources we all share in common; so organization based solely on a Beach or Bay approach favors some and excludes others.

Thank you for considering these initial principles and comments concerning the City-Wide processes. I look forward to discussing the development of a Chollas Creek focused district at your next scheduled meeting.

All the best,

/s/

John Stump, resident, property owner, and taxpayer in current Districts Four and Nine

----- Original Message -----

From: JOHN STUMP <mrjohnstump@cox.net>

To: Redistricting Commission Staff <Redistricting2020@sandiego.gov>, SDAT City Attorney <CityAttorney@sandiego.gov>, CLK City Clerk <CityClerk@sandiego.gov>, csteele@rwglaw.com, ljfleming@sandiego.gov

Cc: mrjohnstump@cox.net

Date: December 1, 2021 at 3:38 PM

Subject: Do not dilute District Nine better to use current boundaries than violate Gingles

and cross natural boundaries

PLEASE DISTRIBUTE THE ATTACHED DOCUMENT AND INCLUDE IT IN THE RECORD

The below portrayal is the status quo ante from the San Diego Redistricting Commissions WEB site at: [current_council_districts_-_total_population.pdf](#) . This presentation has a TOTAL "POPULATION DEVIATION OF 7.89%". This TOTAL " POPULATION DIAVTION" is under ten percent (10%) and within the legally acceptable deviation limits, overall.

The Deviation for District Nine (D 9) is calculated as -5.32% ($154,433.22 - 146,204 = 8,229.22 / 154,433.22 = 5.32\%$) The current Compromise Chairman's map proposes to add some 10,693 residents to District Nine to balance it closer to the ideal. [See District Map 87744] Thus the new map 87744 has a District Nine (D 9) population of 156,897 or 6.92 % greater than the idea.

The unfortunate circumstance presented by the Compromise/Chairman's Map 87744 is that it dilutes the minority Hispanic and coalition races in the new map. I believe that this effort fails the Mission of the Commission to: "... ensure fair and equitable redistricting for all racial, ethnic and language minorities, and be in conformance with the requirements of the U.S. Constitution and federal statutes as amended and the San Diego Charter. " (BYLAWS & OPERATING PROCEDURES of the CITY OF SAN DIEGO 2020 REDISTRICTING COMMISSION, ARTICLE I – Name and Purpose, Section 3.).

Map 87744, as far as D9, further violates the principal dilution as it gerrymanders to accomplish this goal of dilution by crossing significant geographical and infrastructure boundaries – Map 87744 reaches across all of the San Diego River Valley and the I-8 Freeway to capture a diluting population to the current D9 population. It raises the "...essence of a Section 2 claim" in "... that a certain electoral law, practice, or structure interacts with social and historical conditions to cause an inequality in the opportunities enjoyed by [minority] and white voters to elect their preferred representatives." *Thornburg v. Gingles*, (1986) 478 U.S.30, 47 Map 8744 dilutes the existing population in D9 and cracks minority voting power by stacking in some 10,693 residents of a different nature, class, and distant location.

I request that the Commission request analysis of the current 2011 D9 boundaries; so as to determine if maintenance of the historic boundaries could meet the requirements of the law. Further I recommend that the some 10,693 residents that were proposed to be added to D9, by map 87744, be considered for a new adjusted District Seven (D 7) along with San

Diego State University -SDSU. Linking SDSU WEST with SDSU EAST in District 7 would accomplish the Chairman's goals and not dilute D 9.

JOHN STUMP

2411 SHAMROCK STREET, CITY HEIGHTS, CALIFORNIA 92105

City of San Diego Independent Redistricting
Commission Redistricting2020@sanidiego.gov; LJFleming@sanidiego.gov;

November 15, 2021

c/o: Ms. Laura J. Fleming, Executive
Director justine.nielsen@procopio.com; hello@trestlelaw.com; monica.hernandez@aalrr.com

202 C Street, San Diego, California 92101

Subject: Geographical and Infrastructure features to pick non Gerrymandering Boundaries for Council Districts

Dear Honorable Redistricting Commissioners,

Congratulations on selecting a Preliminary MAP/PLAN based on Clairemont United 'Compromise' Map Link to map: <https://portal.sandiego-mapping.org/submission/p6340> <https://districtr.org/plan/74956>. When the Commissioners made the motion and adopted this Clairemont United 'Compromise' Map (hereafter 'Compromise' Map) the Commission recognized that future amendments were necessary. The level of Commission consensus for the 'Compromise' Map' was insufficient to unanimously approve that map. The discussion concerning this 'Compromise' Map recognized that future amendments will be necessary. Particularly, Commissioners acknowledged that the 'Compromise' Map's racial, ethnic and language concentrations, for District 9, diluted it from the already existing 2011 District Nine (D9).

Concerns regarding the dilution of District Nine (D9) were raised by the Commission's Special Counsel in his MEMORANDUM entitled: Preliminary Analysis of Draft Council District Maps, of November 12, 2021. Quoting:

"However, every draft map can be improved, and these maps are no different. Commissioners and the public should regard the Commission's designation and filing of one draft map as the beginning, not the end, of a process that will yield effective and legally compliant final district maps. In particular, I respectfully direct Commissioners' attention to addressing areas where it appears that minority voters' opportunity to elect the candidates of their choice may be reduced somewhat because of population shifts. The example of where this may be occurring in the draft maps is the reduction of Latino CVAP in proposed District 9 as compared to the existing District condition, on all three maps." (Memorandum Preliminary Analysis of Draft Council District Maps, November 12, 2021, Page 4).

In that same MEMORANDUM, your Counsel defined more exactly the shorthand of 'natural boundaries' to be used to avoid the appearance of Gerrymandering. Quoting: *"I suggest that Commissioners focus some attention on whether the proposed maps are all geographically compact and contiguous. The work that has been done, I am informed, to better align district boundaries with significant geographic or public infrastructure features is a helpful step in better protecting communities of interest." (Ibid, Page 2).*

As your Commission considers adjustments to the adopted Preliminary Map/Plan , 'Compromise' Map, I want to suggest that the Commission address the dilution of District Nine (D9) by adjusting from the undiluted 2011 D9 Map and correct the violation of "natural boundaries" presented in both the adopted 'Compromise' Map and the rejected Chairman's Map. Specifically, these maps add to District Nine (D9) and District Three (D3) territories which are outside of the existing 2011 Districts, their traditional settlement boundaries, and cross over the entire San Diego River geographical feature and the very significant infrastructure features between Friars Road and Camino Del Rio South – including the entire Kumeyaay I-8 Freeway. Most of District 9 (D9) and District Three (D3) are in an entirely different watersheds; but this new map reaches into the San Diego River water shed to capture speculative development interests and populations.

I request and recommend that the Commission proceed by removing from the Preliminary Map:

1. Remove, from the Mid-City areas, the entire San Diego River geographical feature and the very significant infrastructure features between Friars Road and Camino Del Rio South – including the entire Kumeyaay I-8 Freeway;
2. Return, as a jumping off place to the 2011 District base map for D3, D4, and D9; and

3. Then adjust populations by carefully using limited Block Groups rather than whole areas to promote community sharing and recognize that several neighborhoods are in transition and that their names are mere artifacts of non- historic development or violate racial, ethnic, and concentrations of language minority voting rights principals of

redistricting. It is also necessary to acknowledge that some "neighborhood" designations may have been made to foster illegal racial, ethnic, and language minority groups.

Making these initial jumping off adjustments will address non-dilution objections, conform better to the gerrymandering prevention principal of natural boundaries, and address some of the very disturbing racial discrimination testimony to reinstitute the "COLOR LINE" boundary of the 94 Freeway with Blacks, Asians, and Hispanics being kept South of that Freeway 94 "COLOR LINE". [Please See my letter: Serious Racial Color Line Comments during Rolando Park, Redwood Village & Rolando Village Testimony on Chairman's Compromise Dilution Maps of November 12, 2021, incorporated by reference]

Adjustments that the Commission could consider would be to assign Kensington and surrounding neighborhoods to the Mission Valley San Diego River watershed as suggested by the Chairman's map. All of the areas, North of El Cajon Boulevard, are in the San Diego River watershed. Areas South of El Cajon Boulevard are in the Chollas Creek watershed. This North / South split would also be consistent with the distribution of racial, ethnic, and language minorities. If these switches were made then D4 should be expanded North towards San Diego State University, along University Avenue & El Cajon Boulevard, where there is a large African American Black population of language minorities residents; as illustrated by their IFTIN School, the Voice and Viewpoint newspaper offices, and the Offices of the African Alliance services organization. Again, actual Block groups must be carefully considered for D4 connection.

Prior to the 2011 redistricting many of the areas South of the San Diego Mission Valley area were in District Seven (D7). Reassignment of Kensington and some of the College neighborhoods back to District Seven might please those neighborhoods and not dilute D3, D4, and D9 where there are significant racial, ethnic, and language minority populations. Extension of D4 North along the City's eastern Boundary would link a significant emerging Black community. A careful study of the residences of SDSU Black and Latin students would treat these students like UCSD.

If populations, to rebalance D4 and D9, are needed; then I suggest that areas of natural boundaries be looked to along the Chollas Creek watershed – on the West side of the Archie Moore 15 Freeway. Boundary Street is the original boundary of the City of San Diego

and is the Western boundary of the Cholas Creek watershed. D3, D4, D8 & D9 all shop and do business along Market Street. Some limited population contribution can be made from District Three (D3) and District Eight (D8) on a block group level. Adding Latino Spanish speakers from these districts to the Latino Spanish speaking District Nine should meet voting rights conditions.

The Commission must realize that Planning Committee Areas and neighborhood planning groups are often not based on a scientific or consistent set of factors. Some these areas are based on an actual subdivision map or an actual single annexation to the City of San Diego; but many of them were somewhat irrationally designated during a time period when the City had five or eight Council Districts. I know the history of these South of Mission Valley/ SD River planning groups and they were often designated to encompass very large areas and populations that remained after small subdivisions were annexed into our City. Some neighborhoods were formed to purposely discriminate!

The Compromise map, after refinement and fine tuning must "*... ensure fair and equitable redistricting for all racial, ethnic and language minorities, and be in conformance with the requirements of the U.S. Constitution and federal statutes as amended and the San Diego Charter.*" (**BYLAWS & OPERATING PROCEDURES of the CITY OF SAN DIEGO 2020 REDISTRICTING COMMISSION, ARTICLE I – Name and Purpose, Section 3.**)

Please publish all of the Article III documents, all of my correspondence directed to the Commission, and this letter as part of the Commission's record. Publics' confidence is dependent on conformance to the Bylaws rules, full transparency, and the law concerning voting rights.

All the best, John Stump

Copy: San Diego City Attorney Mara Elliot and San Diego City Clerk