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Moving the lines of power

Study: Redistricting could favor Latino in Congress

By Harrison Sheppard, Sacramento Bureau
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SACRAMENTO - Saying the current districts were gerrymandered, an academic study released Monday predicts that the San Fernando Valley could gain a majority Latino congressional seat if voters pass Gov. Arnold Schwarzenegger's redistricting measure in November.

The congressional seat now held by Rep. Howard Berman, D-Van Nuys, would go from 49 percent Latino voting-age population to 66 percent, according to the study by the Rose Institute of State and Local Government at Claremont McKenna College.

The study's authors argue the Berman district - drawn for the Legislature chiefly by his brother, consultant Michael Berman - is currently gerrymandered in the incumbent's favor in a way that divides neighboring Latino communities.

"The current line very intentionally goes right through the middle of that community," said Douglas Johnson, a senior fellow with the institute. "It reduces their influence on the election and makes it hard to organize."

Schwarzenegger's measure, Proposition 77 on the November special election ballot, would create a panel of retired judges to draw district lines for congressional, Assembly, Senate and Board of Equalization seats, rather than have the Legislature draw the lines.

The Rose study was based on district lines drawn by retired judges in 1990, as well as requirements about keeping cities and counties intact, district boundaries compact and respecting federal voting law.

But a major Latino-rights group opposes the governor's plan and does not believe it would lead to greater empowerment for Latinos.

John Trasvina, senior vice president with the Mexican-American Legal Defense and Educational Fund, said it is impossible to tell now what districts would look like under Schwarzenegger's measure.

"We think Prop. 77 is worse than the status quo and now is really the wrong time to be doing redistricting," Trasvina said. "One of the reasons why there's no telling what will result from a new redistricting is that it's unclear who will be the redistricters."

"It's difficult to comment whether a San Fernando Valley congressional seat would look the way they describe or would look some other way."

Berman and a number of other members of the California congressional delegation oppose the governor's redistricting plan and won a recent court decision allowing them to raise unlimited funds against it. Berman's brother Michael is a consultant who helped draw the statewide lines that were adopted by the Legislature in 2000. At the time, Latino groups complained that the lines were drawn to divide Latino communities and dilute their power.

Berman's office said the congressman could not be reached for comment.

A Berman aide said the district is already considered majority Latino. The 2000 census found that the district is almost 55 percent Latino in terms of total population. The Rose study was based on voting-age population.

According to redistricting experts, both total population and voting-age population figure into the elements used to draw district lines. Total population is used to determine overall district sizes in roughly equal numbers, while voting-age population is used to conform to federal Voting Rights Act standards for minority representation.

Steve Poizner, chairman of the governor's Prop. 77 campaign, said the measure would avoid districts being drawn to benefit incumbents.

"Prop. 77 specifically prohibits the three retired judges from looking at where incumbents live," Poizner said. "The Berman gerrymander would be impossible under Prop. 77."

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