

Dan Walters: Court case could shake up California districts

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When an independent commission redrew California's legislative and congressional districts four years ago, equalizing their populations was a bedrock goal.

That's because the commission obeyed a half-century-old U.S. Supreme Court decision, dubbed "one-man, one-vote," that seemingly prohibits districts deviating more than slightly in population.

The decision greatly changed California's political dynamics because, until then, the state Senate's 40 districts were aligned with boundaries of the state's 58 counties – one senator to a county, except for a few who represented several sparsely populated rural counties.

The old system meant a Senate dominated by members from rural regions. Immense Los Angeles County, with more than a third of the state's population in 1960, had just one senator, for example.

After the court-ordered changes in Senate districts, it became – and still is – dominated by urban members. Los Angeles County, now down to about a quarter of the state's population, has all or pieces of 15 Senate districts.

The decades-long assumption that legislative and congressional districts must be equal in population may not be engraved in stone after all.

The U.S. Supreme Court will hear oral arguments this week in a [case out of Texas](#) suggesting that equalizing the number of potential voters, rather than raw population, would be fairer.

When districts vary widely in the number of voters, the plaintiffs contend, individual voters in districts with large numbers have their impact diluted, vis-à-vis voters in low-voting districts.

Moreover, they note, raw population includes those who cannot vote because they are noncitizens, felons or under voting age, so it's unfair to count them for redistricting purposes.

Predictably, the case has drawn sharp ideological divisions, with conservatives backing the plaintiffs' challenge and liberals backing the status quo. A look at the underlying data in California explains why.

As noted earlier, legislative districts are pretty much equal in raw population, but they have immense variations in voters.

The average state Assembly district has 221,475 registered voters, but the districts range from a high of 309,929 voters in the 50th Assembly District, centered in Santa Monica on the affluent west side of Los Angeles, to a low of 131,930 in the 32nd Assembly District, in the largely Latino southern reaches of the San Joaquin Valley.

Both have Democratic members but, overall, the state's high-voting districts tend to be in largely white, affluent areas, many of them with conservative ideological bents, while low-voter districts tend to be poor and nonwhite.

Even were voter registration to become nearly universal under a new law, basing districts on voters rather than raw population would shift power, possibly increasing Republican ranks in legislative and congressional seats and decreasing Democrats and Latinos in both.

Could the Supreme Court make such a change? Its acceptance of the case implies that there's at least some inclination.

