

SLO COUNTY CITIZENS

FOR GOOD GOVERNMENT

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Citizens for Good Government sues SLO County to overturn Patten Redistricting Map

The nonpartisan coalition [SLO County Citizens for Good Government](https://sloccgg.org) filed suit today in Superior Court seeking to overturn the adopted Patten redistricting map, which sets forth radically new district boundaries for electing county supervisors.

The Patten map was formally adopted by the SLO County Board of Supervisors in December and is set to become effective Thursday, Jan. 13.

The suit argues that the 3-2 majority of the Board of Supervisors wrongly applied and flagrantly ignored the redistricting requirements set forth under California's Fair Maps Act.

"The Republican majority of the supervisors adopted a map that employed sophisticated cracking and packing techniques to gain partisan advantage, which Elections Code section 21500 (d) expressly forbids," said Linda Seifert, board member of Citizens for Good Government, a nonpartisan coalition of SLO County citizens concerned that the Patten map undermines local democracy by seizing and entrenching partisan advantage rather than promoting competitive elections.

In challenging the 3-2 majority's effort to radically gerrymander the districts, the suit notes that the law is clear: No redistricting was required because the county's current population is distributed fairly and current boundaries meet state requirements.

"The law also makes clear that any redistricting must respect and give priority to long-standing communities of interest, not dilute any minority voices, and not be used to favor one political party over another," said Mike Normoyle, one of the attorneys who helped prepare the lawsuit.

"Yet the end result of the Patten map is to radically rearrange, essentially destroy, long-standing communities of interest while giving greater credence to lower-ranked criteria such as keeping

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cities whole,” Normoyle said. “This demonstrably leads to the radical redrawing of districts where immediate partisan advantage is gained for elections next June and for the rest of the decade, in clear violation of the Fair Maps Act.”

The suit points out that the county has considerably more registered Democrats than registered Republicans, yet the Patten map deliberately creates three districts with significantly more Republicans than Democrats. This is at direct odds with the prohibition found in Section 21500 (d).

“Democrats make up 38 percent of all voters while Republicans make up 34 percent, and all others in the 20s,” said Patricia Gomez, Citizens for Good Government board member. “This is a callous, and very transparent, effort by the 3-2 majority to rig the system and pick their voters. This is the very definition of radical gerrymandering. Our democracy is based on free and fair elections where the voters choose their representatives, not the other way around.”

The suit notes that the 3-2 majority of the board willfully ignored public testimony and evidence entered into the record showing that the Patten map resulted in a partisan advantage. The majority did so claiming that it would be illegal to consider the evidence, even though their own legal counsel clearly advised them that it would be legal to weigh the partisan effects of the Patten map in their decision, and even though the county’s expert redistricting consultant offered to provide the analysis.

The lawsuit echoes the arguments that hundreds of citizens repeatedly made in written correspondence and in oral testimony at the Board’s public hearings in October and November. Among the arguments ignored by the board majority:

- No redistricting was required because the supervisorial districts in place from 2011 through 2021 were fully compliant with state law.
- The Patten map shatters obvious communities of interest as evidenced by splintering the North Coast communities of Cayucos, Morro Bay and Los Osos into three separate districts even though they have been historically aligned together in a single district for decades because they are inextricably linked along a short strip of coastline, are connected by one main road (Highway 1), and share the same schools among many other public, social and economic interests.

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- The Patten map not only dilutes the voice of Latino voters through deliberate relocation, but it also deprives many registered Democrats from being able to vote until 2024. Votes delayed or deferred in a manner that violates the law are votes that can never be revived or regained once lost.

The lawsuit also objects to the voting chaos that the Patten map creates, pointing out that:

- Tens of thousands of voters will be “orphaned” by being included in districts where it appears they will not have direct representation by a county supervisor for more than two years.
- Thousands of County residents (mostly registered Republican voters) will be entitled to vote twice in the upcoming 2022 elections while thousands of others (mostly registered Democratic voters) will have their right to vote unnecessarily delayed for years.
- In a normal redistricting sequence, when dictated by population changes not present at this time, it’s not unusual for a small percentage of voters to be affected by the deferral and acceleration of their votes. In contrast, in a situation where no change is required, the Patten map accelerates or defers nearly 100,000 county voters, about 45% of the county’s voting age population. That is not mere coincidence.

“We are grateful to the community for the outpouring of financial support,” said Quinn Brady, spokesperson for SLO County Citizens for Good Government. “Receiving more than \$200,000 in donations from over 1,000 community members in the first two weeks of fundraising signals the level of outrage and support on this issue.

“This will be a sustained legal effort,” Brady said. “We will continue fundraising to have resources ready to take every step necessary to ensure a fair and free democracy for SLO County.”

Visit <https://slocgg.org> for more information about SLO County Citizens for Good Government, Inc., a nonprofit nonpartisan coalition.