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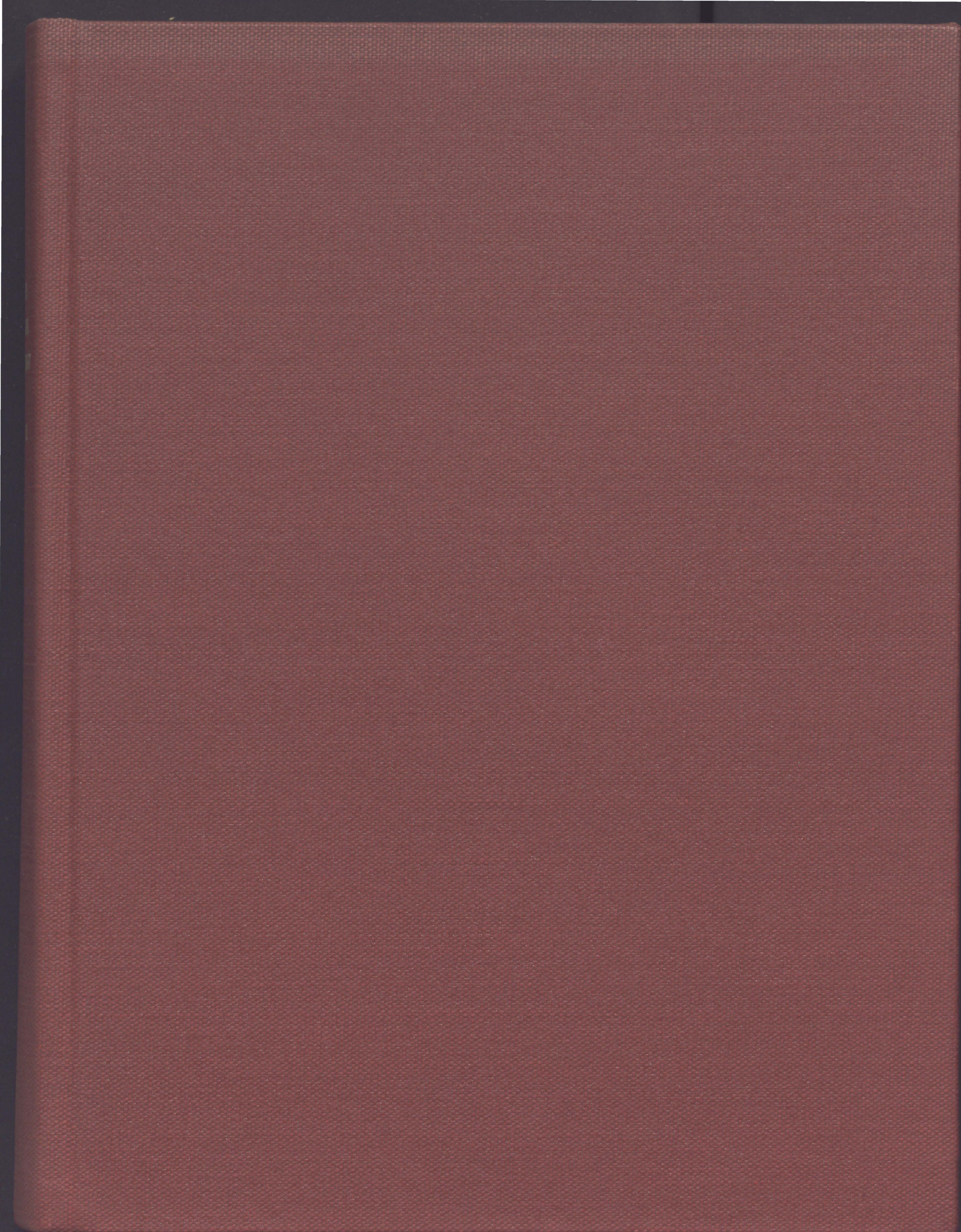


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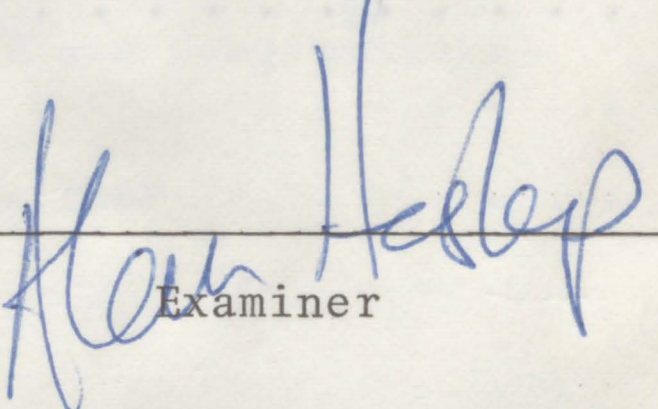
CALIFORNIA CONGRESSIONAL REAPPORTIONMENT

By

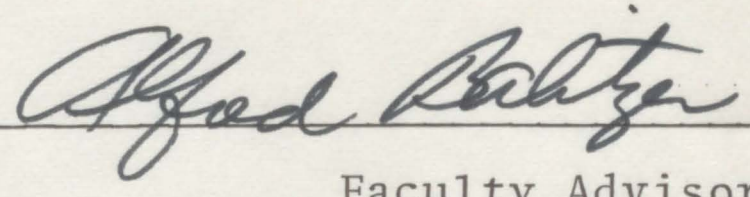
Thomas B. ^{Brooks} Hofeller

Presented to the Graduate Faculty of
the Claremont Graduate School in
partial fulfillment of the requirements
for the degree of Master of Arts.

We certify that we have read this document
and approve it as adequate in scope and
quality for the degree of Master of Arts:


Examiner

Faculty Reader


Faculty Advisor

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INTRODUCTION

We now find ourselves at the end of the first redistricting following the so called "Reapportionment Revolution." There is, however, considerable disagreement defining its scope and the wisdom of its continuation. This paper reviews the effects of this revolution on this state. It outlines the development of the Court's involvement in redistricting and discusses the virtues of the Court's resistance of further involvement in this difficult question.

California's congressional redistricting history is reviewed from statehood to the present. Special attention is given to 1965, 1971, and 1973. The role of the computer is reviewed, both as an academic and political tool. Finally, the role of the Court Masters is discussed, along with an evaluation of their plan. Political fairness is discussed, both with regard to objective formulae and the fairness of the Masters' Plan.

As the title suggests, this paper is a detailed history. It is not a discussion of the gerrymander. It is hoped that the reader will gain a solid understanding of redistricting effect on our congressional representation, and will be better prepared to evaluate future rhetoric and actions in this field. It is his vote, in actuality, which is on the line.

CHAPTER I

A BRIEF HISTORY OF MAJOR COURT DECISIONS

When the Constitution of the United States was ratified in 1789, this country was an agricultural nation. Only 5.1 percent of the population lived in cities larger than 2,500 people, and there were but twenty-four cities which fell into this category at the time of the first census in 1790. Some time between 1910 and 1920 the number of inhabitants in the urban areas became larger than the number of persons living in rural areas. In fact, the last census counted 69.9 percent of the population as living in the urban areas.¹ The United States has today become a nation of urban and suburban dwellers. However, as this phenomenal urban growth was taking place, the distribution of congressional seats within each state was not being realigned to reflect the shift in population from farm to city. Also, the rural majority in Congress resisted the redistribution of House seats to the more populous states. Because of this resistance Congress failed to reapportion seats among the states after the 1920 census. A survey made in 1962 by the Congressional

¹U.S. Department of Commerce, Bureau of the Census, 1960 Census of Population Supplementary Reports: Population of the United States-- By States 1960 and 1950, PC (52) - 4, (Washington D.C.: Government Printing Office, June 9, 1961), p. 2.

Quarterly Weekly revealed that the average congressional district in 1960 had 408,000 inhabitants. However, the average district sizes for urban, suburban, and rural districts were 431,000, 548,000 and 364,000 respectively.¹ This demonstrates that the suburban voter was the most under-represented, as suburban districts were an average of 34.2 percent above average district population.² The situation was worsened by the fact that twenty-five states (among those with more than two seats) had failed to reapportion after the 1960 census. Districts ranged from Texas' Fifth District with 952,000 people to Michigan's Twelfth District with a population of 177,000. The twenty largest districts were composed of 80.1 percent urban or suburban population, while the smallest twenty districts contained 96.7 percent rural dwellers.³ Thus, in 1962, the make-up of the House of Representatives contained an unwarranted bias in favor of rural voters. The situation was even more biased in some state legislatures. It was to correct this inequity that the United States Supreme Court entered into the reapportionment conflict in 1962.

Prior to *Baker v. Carr* in 1962, the United States Supreme Court had refused to pass on the merits of unequally

¹"Congressional Redistricting," Congressional Quarterly XVIII (1961), p. 1063.

²Ibid.

³Ibid.

populated legislative districts. Previous courts had considered this question to be a political conflict, and therefore not justiciable or having standing in the court system. Perhaps a hint of things to come was demonstrated in *Colegrove v. Green* in 1946.¹ This suit involved a request for invalidation of Illinois' congressional districts which ranged in population from 914,053 to 112,116. The Supreme Court had, upon appeal, refused to hear the merits of the case. Although the seven man court voted four to three to refuse judgement, it is significant that the majority split three to one in their reasons for not hearing the appeal. Three justices held that it was the responsibility of Congress to pass judgement on the composition of congressional districts, and that the Court, therefore, had no jurisdiction in the matter. The fourth justice based his decision on the premise that the Court did have jurisdiction but should not pass judgement because of the political nature of the conflict. In effect, he agreed with the minority that the composition of legislative seats was justiciable. This four to three verdict in favor of Supreme Court jurisdiction in legislative district cases can be considered as paving the way for the Court's landmark decision in *Baker v. Carr*.

Tennessee was as good an example of a malapportioned state legislature as could be found in any state. Although

¹Ibid.

the Tennessee Constitution called for continual reapportionment based upon population, no new districting statute had been passed since 1901. Petitions to the Legislature had gone unheeded, Tennessee's state court system had refused to act, and there was no provision for a popular initiative open to those seeking to correct Tennessee's malapportioned legislative districts. In effect, the United States Supreme Court therefore ruled that the Federal Court System not only had jurisdiction in this case but must also hand down a decision. The case was remanded to a lower court for that decision. The result was that the Tennessee Legislature was ordered to reapportion its districts.¹ The Supreme Court did not set any standards to guide lower court in deciding reapportionment cases. It was not until two years later that the Supreme Court set any guideline of its own.

The case which was to set the guideline for reapportionment on a nationwide level was *Gray v. Saunders* in 1964.² The Supreme Court has applied a stricter interpretation of this standard in later cases, but it still remains the keystone of all subsequent decisions. *Gray v. Saunders* involved Georgia's county unit system for nominations for statewide political offices. In this system counties possessed unit

¹*Baker v. Carr* 369, U.S. 186 (1962).

²*Gray v. Saunders*, 372, U.S. 368 (1963).

votes distributed to them on a non-population basis. A candidate received all the unit votes of a county as long as he received a simple majority of the votes cast in that county. There was, therefore, a double distortion in voting power due to the non-population base distribution of unit votes and the "winner take all" rule in each county. It was possible for a candidate to win a majority of unit votes, and consequently the party nomination, without anywhere near a majority of the total votes cast throughout the whole state of Georgia. For example, 928 people voted for one unit vote in Echols County while 92,702 people voted for one unit vote in Fulton County. In effect, a vote in Echols County was worth ten times as much as a vote in Fulton County. The Supreme Court struck down this system as unconstitutional and thereby established its "one man-one vote" rule for reapportionment. In this opinion Justice Stewart stated, "Within a given constituency there can be room for but a single constitutional rule-- one voter, one vote."¹ In subsequent years the Supreme Court has defined this standard more specifically. The two main questions left unanswered in *Gray v. Saunders* were those of applicability of the "one man-one vote" standard to all legislative bodies, and degree of equality required in equalization of district populations. The first set of decisions discussed below deal primarily with the applicability question.

¹*Ibid.*, p. 382.

In the same year *Gray v. Saunders* was decided the Court passed judgment upon Georgia's congressional districts. Ruling, in effect, that Congress had been allowed ample opportunity to order reapportionment of districts which were badly under- or over-populated, the Supreme Court took jurisdiction and attempted to remedy the situation upon which Congress had declined to act. Georgia's congressional districts ranged in population from 823,680 to 272,154. In *Wesberry v. Saunders* the Court ordered Georgia to redistrict and, thereby, extended the "one man-one vote" rule to congressional districts.¹

The "one man-one vote" rule was extended to state legislatures in *W.M.C.A. v. Lomenzo*.² A regressive reapportionment formula for the New York State Legislature was ruled unconstitutional in this decision. The Court was not willing to accept a system in New York which contained a bias against the urban areas of the State. The Court also ruled that a ratio between the populations of the smallest and largest districts of 1:2.61 was unacceptable.

Maryland Committee for Fair Representation v. Tawes extended the scope of *Gray v. Saunders* to both houses of a state's legislature.³ Many states had adopted so called

¹*Wesberry v. Saunders*, 376 U.S. 1 (1964).

²*W.M.C.A. v. Lomenzo*, 377 U.S. 633 (1964).

³*Maryland Committee for Fair Representation v. Tawes*, 377 U.S. 656 (1964).

"federal plans" which allowed one house of a state's legislature to be apportioned according to factors other than population. The Court ruled that both houses of a state legislature must be apportioned according to the "one man-one vote" rule.

The "federal plan" was again attacked in *Lucas v. Colorado General Assembly* in 1964.¹ In November of 1962 the electorate of the state of Colorado had voted upon two separate referendums. One consisted of a "federal plan" for reapportionment, while the other proposed an equal population plan for both houses of the legislature. By a majority vote in every county in the State the "federal plan" passed and the equal population plan failed. The Supreme Court, however, invalidated Colorado's federal plan by a 6 to 3 vote stating that, "An individual's constitutionally protected right to cast an equally weighted vote cannot be denied even by the votes of a majority of a state's electorate."² Thus, with the exception of an amendment to the United States Constitution, the federal plan for state legislatures was ruled out under any circumstances.

The question of allowable deviation from ideal district size has not been answered by the Supreme Court in terms of an actual percentage. One can only assume that

¹*Lucas v. Colorado General Assembly*, 377 U.S. 713 (1964).

²*Ibid.*, p. 736. *Prelesler*, 385 U.S. 450 (1967).

Wright v. Rockefeller, 376 U.S. 53 (1964).

smallest deviations which are ruled as being too unconstitutional by the Supreme Court set the limits for other states. In four cases in 1967 the Supreme Court declared deviations of 18.3,¹ 14.84,² 12.8,³ and 9.9 percent as unacceptable.⁴ The latest case dealing with district deviations, Kirkpatrick v. Preisler, struck down a deviation of 3.13 percent. This case will be discussed in more detail below.

In two other cases the Supreme Court ruled, either directly or indirectly, on two other issues. The first issue was that of racial gerrymandering and the second was the constitutional status of multimember districts. The issue of racial gerrymanders was raised in Wright v. Rockefeller in 1964.⁵ The four districts of Manhattan Island had been apportioned in such a way that the racial composition of the districts was as follows: 17th district-- 94.9% white; 19th district-- 72.5% white; 20th district-- 71.5% white and 18th district-- 86.3% Negro-Puerto Rican. Three of the four Manhattan districts were democratic. Of those three only one, the 18th (represented by Adam Clayton Powell) contained enough non-whites to influence the election of either party's nominee and, thus, of the congressman.

¹Swann v. Adams, 385 U.S. 440 (1967).

²Kilgarlin v. Hill, 386 U.S. 120 (1967).

³Duddleston v. Grills, 385 U.S. 455 (1967).

⁴Kirkpatrick v. Preisler, 385 U.S. 450 (1967).

⁵Wright v. Rockefeller, 376, U.S. 52 (1964).

The plaintiffs argued that the gerrymander was racial in intent and was used to isolate Non-Whites into one district. Non-Whites comprised 36.8% of the total population of Manhattan and thus, the plaintiffs contended, they should be divided among the districts so that their influence could be felt by more than one congressman. The defendants, including Powell and many Negroes contended that the lines had been drawn without racial bias and had in fact been drawn to insure a safe Republican district for Manhattan. Also involved was the fact that the Non-White population was located in neighborhoods of great concentration. On appeal the Supreme Court ruled that it found no direct proof of racial discrimination such as was found in *Gomillion v. Lightfoot*, and thus allowed the districts to stand.¹ In doing so the Court avoided the issue of the value of a safe minority seat versus a spreading of minority votes for more influence. The issue of the true political-party gerrymander was also avoided. The Court had no desire to become involved with either question.

Multimember districts can be of great advantage to the majority party or interest group. By utilizing this simple device a minority constituency can be submerged by the majority and thus denied a seat it might gain with a single constituency system. In multimember districts two or more candidates are elected by the same group of voters.

¹*Gomillion v. Lightfoot*, 364 U.S. 339 (1960).

Sometimes the voter is allowed a number of votes equal to the number of offices; on other occasions he is allowed less votes. Sometimes he may cast all his votes for one of the candidates, but at other times he is required to cast all his votes, even though in doing so he will have to vote for opposition candidates. The net effect of all these systems is that there is a great advantage given to the majority, an advantage gained by means of arithmetic rather than the desires of the electorate. In *Kruidemier v. McCulloch* the U.S. Supreme Court upheld a decision invalidating an eleven member district in Iowa.¹ However, the Iowa Supreme Court decided the case on the issue of a diminished voting power being imposed on those voters outside the multimember district. The important fact here is that the Court looked at voters as individuals rather than members of minority factions--faction's whose block voting power was being reduced by this system. The Supreme Court, however, has yet to speak on this issue. In an opinion in 1967 Justice Douglas made the following statement,

. . . I reserve decision on the aspect (group discrimination) of the problem concerning multimember districts. Under the present regime each voter in the district has one vote for each office to be filled. This allows the majority to defeat the minority on all fronts

¹*Kruidemier v. McCulloch*, 258 Iowa 1121, 142 N.V. 2d 355 (1966), cited in Robert G. Dixon, Jr., *Democratic Representation* (New York: Oxford University Press, 1968), pp. 481-82.

Kirkpatrick v. Preisler, 394 U.S. 512, 531.

I am not sure in my own mind how this problem should be resolved.¹

Perhaps the Supreme Court will take up this issue in the next few court sessions.

In 1969 the Supreme Court handed down two more critical decisions in Kirkpatrick v. Preisler² and Wells v. Rockefeller.³ The court, in effect narrowed the range of deviation of congressional districts to less than 2.84 percent. The deviation of Missouri's smallest district, was not small enough for the Court. In the opinion of the Court, Justice Brennan stated,

The 'as nearly as practicable' standard requires that the state make a good faith effort to achieve precise (italics mine) mathematical equality. Unless population variances among congressional districts are shown to have resulted despite such effort, the state must justify each variance, no matter how small.⁴

This case indicates that even narrower standards may be imposed in future cases. In that same opinion it was directed that the legislatures of states must rely on accurate census figures. It was also ruled that interests, political and otherwise, could not be used as justification for deviance. The Court stated that district shape was not important and oddly shaped districts could be formed to equalize population.

¹Kilgarlin v. Hill, 386 U.S. 120, 122 (1967).

²Kirkpatrick v. Preisler, 394 U.S. 526.

³Wells v. Rockefeller, 394 U.S. 542.

⁴Kirkpatrick v. Preisler, 394 U.S. 526, 531.

On the subject of population shifts, Justice Brennan stated,

Where these shifts can be predicted with a high degree of accuracy, states that are redistricting may properly consider them . . . Finding as to population trends must be thoroughly documented and applied throughout the state in a systematic, not an ad hoc manner.¹

In the majority opinion in *Wells v. Rockefeller*, Justice Brennan, speaking on the subject of gerrymandering, ruled,

We do not reach, and intimate no view upon the merits of the attack upon the statute as a constitutionally impermissible gerrymander.²

Since the *Kirkpatrick* decision the Court remained silent on the issue of congressional reapportionment up until 1973. This case, *White v. Weiser*,³ involved the solution of the 1973 redistricting battle in Texas. The Legislature had enacted a statute for congressional districts with a maximum deviation of 2.43 percent. Plaintiff filed against this plan on the basis of lack of good faith effort to attain equality. The State countered with the same defense as had Missouri in *Kirkpatrick*-- adherence to county lines and other existing jurisdictional boundaries. The plaintiffs submitted a Plan B which was, for all intents and purposes, the same as the statute except that the maximum

¹*Ibid.*, 535.

²*Wells v. Rockefeller*, 394 U.S. 542, 545.

³*White v. Weiser*, 93 Supreme Court 2348, (1973).

deviation was .086 percent. Furthermore, before the suit was heard in Federal Court, the plaintiffs submitted a Plan C with greater variances (up to .284 percent), but substantially different in character from Plan B and the statute.

The District Court held that the statute was indeed unconstitutional and ordered Plan C into effect. The state appealed to the Supreme Court maintaining that if the original statute was unconstitutional then Plan B should be enacted for two reasons. First, it had smaller deviations from ideal district size and seemed, it was closer to the Legislature's intent-- having districts substantially more like the original statute than did Plan C. The Supreme Court concurred on both points and ordered Plan B into effect for the 1974 elections.

The Court, in the light of the White decision has set down the following standards for congressional reapportionment.

1. Strict equality of population is required-- no excuses acceptable if any plaintiff can show that deviations were avoidable. The current standard appears to be around .1 percent, although the Court has consistently refused to set a de minimus.

2. State Legislatures have primary jurisdiction in redistricting and the courts should not intervene unless absolutely necessary.

3. If the Court institutes a plan it should adopt that plan which follows most closely the intent of the Legislature which is constitutionally acceptable.

4. All racial gerrymanders are unconstitutional but the plaintiffs must prove intent on the part of defendants.

5. Multimember districts are not unconstitutional unless they discriminate against voters due to race.

6. Gerrymandering is not justiciable. There has been much criticism of the Court about its intervention in reapportionment. In the United States Supreme Court's "one man-one vote" decision, the Court departed from almost all reapportionment practice to that date on the part of the individual states, and also from districting practices in Great Britain. Nowhere, up until that decision, was there any precedent supporting the conclusion that the Founding Fathers or the Framers of the Fourteenth Amendment intended that this amendment should be used to apportion legislatures according to population standard in direct contradiction to any other criteria. However, discussion of that dictum has already been well presented in many books on reapportionment. The Court has made it clear that this issue is not open to further modification. What

is open to discussion is the question of why the Court does not cure the other evils of redistricting, and how it can logically stop short of an attack on other abuses. It is to this area that further discussion is directed.

There is a great deal of rationality in the stand that the Court took. The Court is concerned, in its "one man-one vote" decisions, with the rights of individuals. The concern is that the vote of one citizen, as it pertains to the election of legislators, be weighted equally with that of every other citizen. This stands quite apart from the subject of group representation, to which the Court has addressed itself in only one respect-- that of race. The concern here is that the majority of individuals voting for a group of legislators have a reasonable chance of winning a majority of seats for their chosen candidates. One should not lose sight of the fact that the "one man-one vote" decisions were handed down in a period of gross malapportionment between the rural and urban areas of this nation, and were not meant to deal with the subject of group representation. Given this equality of individual votes as a goal, the "one man-one vote" dictum, properly applied, insures that no matter how one selects a majority of seats in any legislature, there is a practical potential that it can be elected by a simple majority of the individual voters. This is clearly not the case prior to these decisions. In the case

of congressional districting, the Court has taken a stricter stand than that of state legislatures.

Having seen the subordination of all other criteria to the equal population dictum, one can logically ask the following question: Has the application of the equal population standard, to the exclusion of all other standards, opened the door to excessive gerrymandering on a scale never seen before in American reapportionment? The answer is No in the case of California. In this State it is not the "one man-one vote" decisions that caused any gerrymandering that may have occurred. It is, rather, the immense resources of electronic data processing applied to this decade's reapportionment which have enabled the sophistication of gerrymandering in terms of partisan advantage. We should restrain ourselves from blaming the U.S. Supreme Court for evils which did not arise directly from the "one man-one vote" rulings.

In order to examine the hypothesis that "one man-one vote" did not bring about the evils often attributed to it, it is necessary to divide redistricting abuses into two categories. The first is malapportionment. Malapportionment is defined as the drafting of district boundaries so that a minority of the total voting population, by gaining only simple majorities in a simple majority of the seats in a legislative body, can control that body. This argument assumes that there will be equal registration and voter

turnout in each district. Malapportionment has nothing to do with partisan composition, nor does it have anything to do with adequate representation of groups of voters in the legislature. Gerrymander, on the other hand, is the drafting of district boundaries so that a group of persons, such as a political party, may gain disproportionate majorities in the legislature in comparison to their aggregate performance at the polls. Malapportionment may take place along with gerrymandering, but gerrymandering may take place without any significant malapportionment.

Having defined these two abuses let us examine their use in redistricting in the State of California. Prior to the Silver v. Brown ruling which ordered the reapportionment of the State Senate and Assembly according to equal population, the State Senate was apportioned according to the following constitutional rules. First, no county may have more than one state senator. Second, no more than three counties may be contained in a senate district. Examining this criteria in light of today's registration figures, every minority group, including the Republican Party, has a far worse potential for majority dominance than under the equal population standard. In the Assembly, on the other hand, there was ample opportunity for gerrymandering in those counties where the constitution called for more than one district. A democratic majority, armed with sophisticated

computer systems, could suppress every minority of any significance in the State using the old constitutional standard.

Looking at the situation following the "one man-one vote" rulings, one can make the following statement without any qualification. The ability of the reapportioning authority to malapportion the State is nil. Second, there is contention that the ability to gerrymander is not any higher than it was prior to the application of the equal population standard. Prior to "one man-one vote" the majority party was limited to gerrymandering in counties of more than one district. Given today's populations, this would include the counties of Sacramento, Fresno, San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara, Ventura, Los Angeles, San Bernardino, Riverside, Orange and San Diego. However, there was no guarantee under the old guidelines that districts needed to be allocated to those counties in direct proportion to their populations. Nor was there any restriction on the malapportionment of districts within those counties. The ability which the U.S. Supreme Court has given the legislature to ignore county lines and to draw districts out of portions of more than one county is an equal offset to their former ability to vary district size within counties. It will be demonstrated later in this paper that gerrymandering is possible even when greater restrictions are added to the "one man-one vote" criterion and that, as Gordon Baker states in his article (California Press, 1971), p. 132.

in Polsby's Reapportionment in the 1970's, "a genuine gerrymander can consist of compact and contiguous districts of equal population."¹ Mr. Baker has had ample practical experience to test that hypothesis as the academic consultant to the Special Masters in the 1973 California Reapportionment.

In conclusion, the Court, at least in the case of California, has not significantly increased the ability of the Legislature to gerrymander. Furthermore, they have put an end to malapportionment. Accepting this thesis, one can conclude that the elevation of the equal population standard above all other standards did not greatly increase-- or perhaps did not increase at all-- the abuses available to any redistricting authority in this State.

Having dealt with this criticism of the Court, one can then turn to the charge that the Court did not remedy the abuses of gerrymandering, either through the drawing of non-compact districts or through apportionment systems such as multi-member districts or floterial districts. The problem which anyone faces here is one of definition. While it is generally agreed that multi-member districts can be a tool of majority suppression, the Court has hesitated in ruling that multi-member districts are in and of themselves an invidious discrimination of a constitutional right. The

¹Nelson W. Polsby, ed., Reapportionment in the 1970's, (Berkeley and Los Angeles, California: University of California Press, 1971), p.122.

Court hesitates to overrule the power of the legislatures of the various states to impose any districting systems upon their own populations unless they involve malapportionment. The U.S. Constitution addresses itself to the abridgement of the rights of citizens because of race, color, religion or sex, not because of their membership in other factions or minorities. Once having secured the rights of voters, as individuals, to be protected from malapportionment, the Court turned to racial discrimination. It, no doubt, assumed that redistricting abuses could not be based on religious or sexual factors per se, so racial discrimination was the only constitutionally forbidden abuse left. The Court has said that where racial abuse can be proven, districting plans will be overturned. The problem with further remedy becomes one of defining the perfect set of criteria, and then testing districting plans against this criteria. It is not within the power of the United States Supreme Court to determine whether or not a districting plan is drawn according to the best and fairest set of criteria, but, rather, whether or not it is constitutionally acceptable. The problem is not one which can be solved through court action because the appropriate solution cannot be defined.

A good example is that of party gerrymandering. The legislatures of the United States have been based on election of members from geographic districts. Even with the imposi-

tion of the "one man-one vote" standard, there is no way to guarantee that minority parties or other minority groups will have representation according to membership. If one were to hypothesize the perfect set of districts as that in which a member of either party could have a good chance of election, then one could also assume that the minority party could have its candidate receive 49 percent of the vote in all the districts, and have no representation at all. On the opposite extreme, if district boundaries were drawn according to the criteria that there should be nothing but "safe" seats for members from each party, then there would be no effective two-party competition. It is clear that the best solution lies between these two extremes. It is also clear that at just what point between those two extremes, the acceptable boundaries of a fair reapportionment lies, is not a decision best made by the Courts. One cannot expect the courts to wade through the political question of what is and is not a fair reapportionment.

In 1880 that city contained 27 percent of the total population of the State. However, problems loomed ahead as Southern California - especially Los Angeles - became a new center of population.²

Although the State had previously reapportioned twelve times without great difficulty, the legislative session of

¹Silver v. Brown, 44 California Reporter 308. (1965).

²Historical population figures for California were found in Don A. Allen, Sr., Legislative Sourcebook, (Assembly of the State of California, 1967).

CHAPTER II

A BRIEF HISTORY OF CALIFORNIA REAPPORTIONMENT

The history of reapportionment in California can be divided into three stages. The first stage covers the period from statehood to 1921. The second era runs from 1921 to 1965. The final period, which is still in progress, began in 1965 with the legislature's first action on *Silver v. Brown*.¹

The period from statehood to 1921 was marked by little controversy over reapportionment. The reapportionment formula for both assembly and senate seats was based upon population. As the State grew in population, the distribution of people between rural and urban areas became of great concern to the rural legislators. In the State's first thirty years the only major city to worry about was San Francisco. In 1880 that city contained 27 percent of the total population of the State. However, problems loomed ahead as Southern California--especially Los Angeles-- became a new center of population.²

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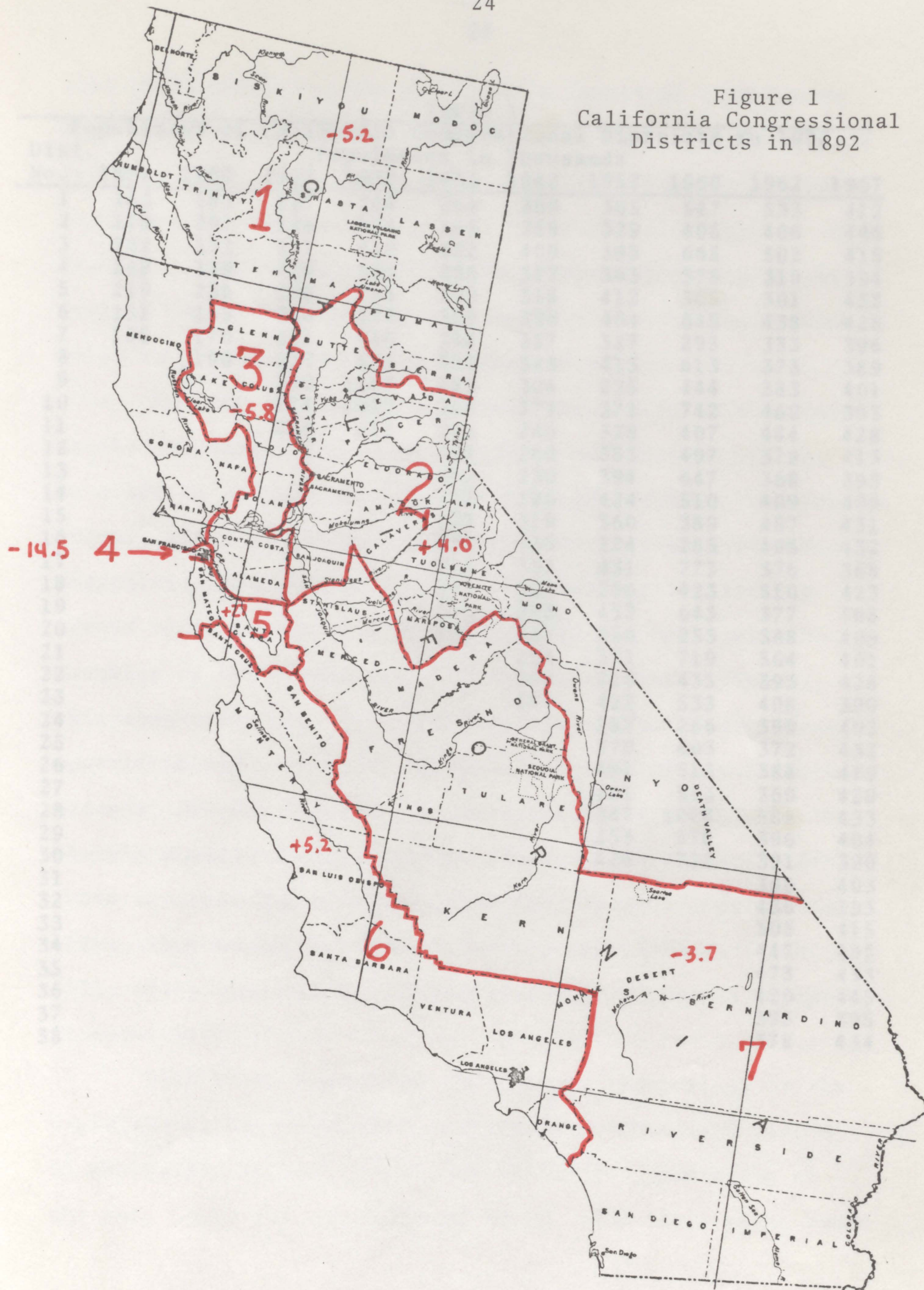


Table 1

Population of California Congressional Districts to 1970										
Dist.	Population in Thousands									
No.	1891	1900	1902	1930	1932	1942	1952	1960	1962	1967
1	163	183	197	264	264	309	365	547	533	412
2	179	201	146	158	165	218	329	406	406	446
3	162	172	211	410	332	409	395	665	502	418
4	148	179	208	289	335	317	363	375	310	394
5	219	236	208	345	299	318	412	365	301	433
6	181	155	246	474	309	356	404	645	438	428
7	165	170	211	440	244	257	327	293	333	396
8		190	234	475	325	343	413	613	373	389
9			230	1169	280	324	235	444	383	401
10			274	1039	310	277	371	742	460	393
11			210	612	265	246	328	407	444	428
12					259	260	383	497	379	413
13					349	230	394	647	368	393
14					277	326	424	510	409	409
15					299	319	360	389	407	431
16					296	330	224	285	496	432
17					234	393	431	773	376	388
18					227	292	286	423	510	423
19					336	249	453	643	377	408
20					271	352	226	253	388	409
21						194	391	719	364	401
22						296	219	435	393	428
23						289	422	533	408	390
24							287	266	399	403
25							370	803	372	432
26							481	513	388	419
27							281	503	360	429
28							347	1014	588	433
29							233	378	396	404
30							426	722	391	390
31									396	403
32									435	393
33									503	415
34									447	405
35									473	433
36									420	445
37									395	395
38									378	434

With three successive failures to reapportion in the Legislature, two initiative plans were proposed and placed on the ballot in 1925. One plan called for population as the only basis for apportioning seats. The other plan, known

1911 ended without a new plan. As a result of 1910 Census many seats were supposed to shift to Southern California and San Francisco, and the Northern California legislators were beginning to balk at the loss of their political power. San Francisco and Los Angeles Counties represented over 38 percent of the State's population and were threatening to comprise an even greater share in the future.

In 1910 it was proposed that population be abandoned as the only basis for reapportionment and instead, switch to a system of population modified by geographical consideration. After a deadlock in the special session called for reapportionment, the delegation from Los Angeles finally agreed to support a bill which deprived the metropolitan counties of their just share of representation. However, this compromise did not solve the problem for future reapportionments. In 1920 the three counties of San Francisco, Alameda, and Los Angeles had increased their percent of the State's population from 40.1 percent to 52.2 percent. If these counties had received their full share of representatives, they would have controlled the Legislature. Thus, in 1921, 1923, and 1925 the Legislature did not pass a reapportionment bill.

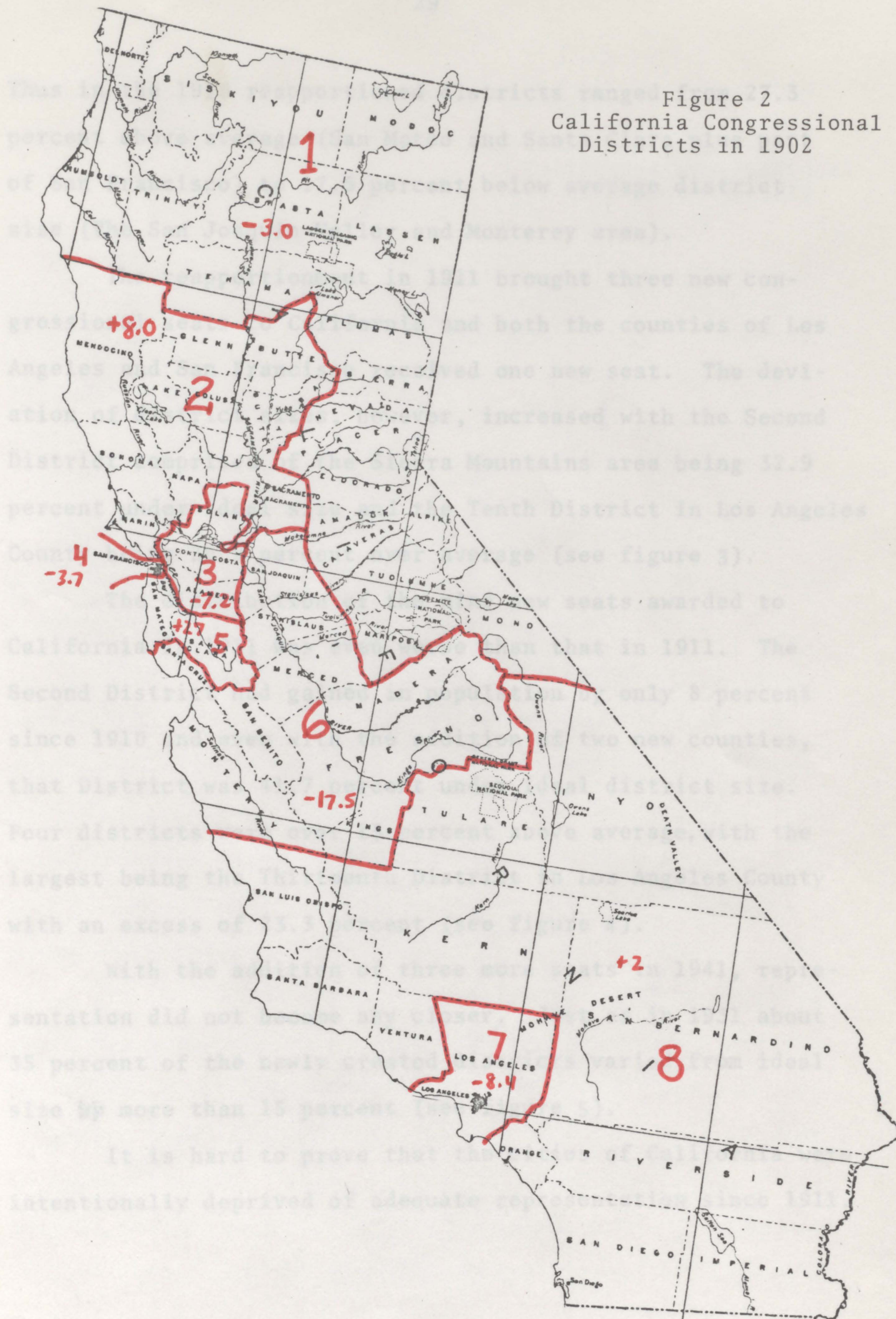
With three successive failures to reapportion in the Legislature, two initiative plans were proposed and placed on the ballot in 1926. One plan called for population as the only basis for apportioning seats. The other plan, known

as the familiar "Federal Plan," called for geographical distribution of Senate seats. This plan required that there be contiguous districts comprised of whole counties, with no district containing more than three counties. Both plans called for a commission to reapportion the State should the Legislature fail to do so. In the election the population-based plan failed and the Federal Plan passed. Thus, California's Senate reapportionment took place under the Federal Plan until *Reynolds v. Smith* ruled that method unconstitutional in 1964. Therefore, in 1927 the largest counties in population received only one senator along with the appropriate number of assemblymen, as determined by their populations.

Congressional districts in California have not been governed by the same attempt at equality for Northern and Southern California as in the Assembly. In 1891 the State's seven congressional districts ranged from 27.2 percent over the average (San Mateo and Santa Clara) to -14.5 percent below the average (San Francisco County).¹ However, aside from these two districts, the other five districts lay within 6 percent of the average (See figure 1). In 1901 the county of Los Angeles became large enough to rate its own congressman, so the added seat was given to that county (See figure 2).

¹Population figures for California Congressional Districts before 1950 are found in past issues of U.S. Congress, Joint Committee on Printing, Official Congressional Directory, (Washington, D.C.: U.S. Government Printing Office).

Figure 2
California Congressional
Districts in 1902



Thus in the 1910 reapportioned districts ranged from 27.3 percent above average (San Mateo and Santa Clara plus part of San Francisco) to 17.5 percent below average district size (the San Joaquin Valley and Monterey area).

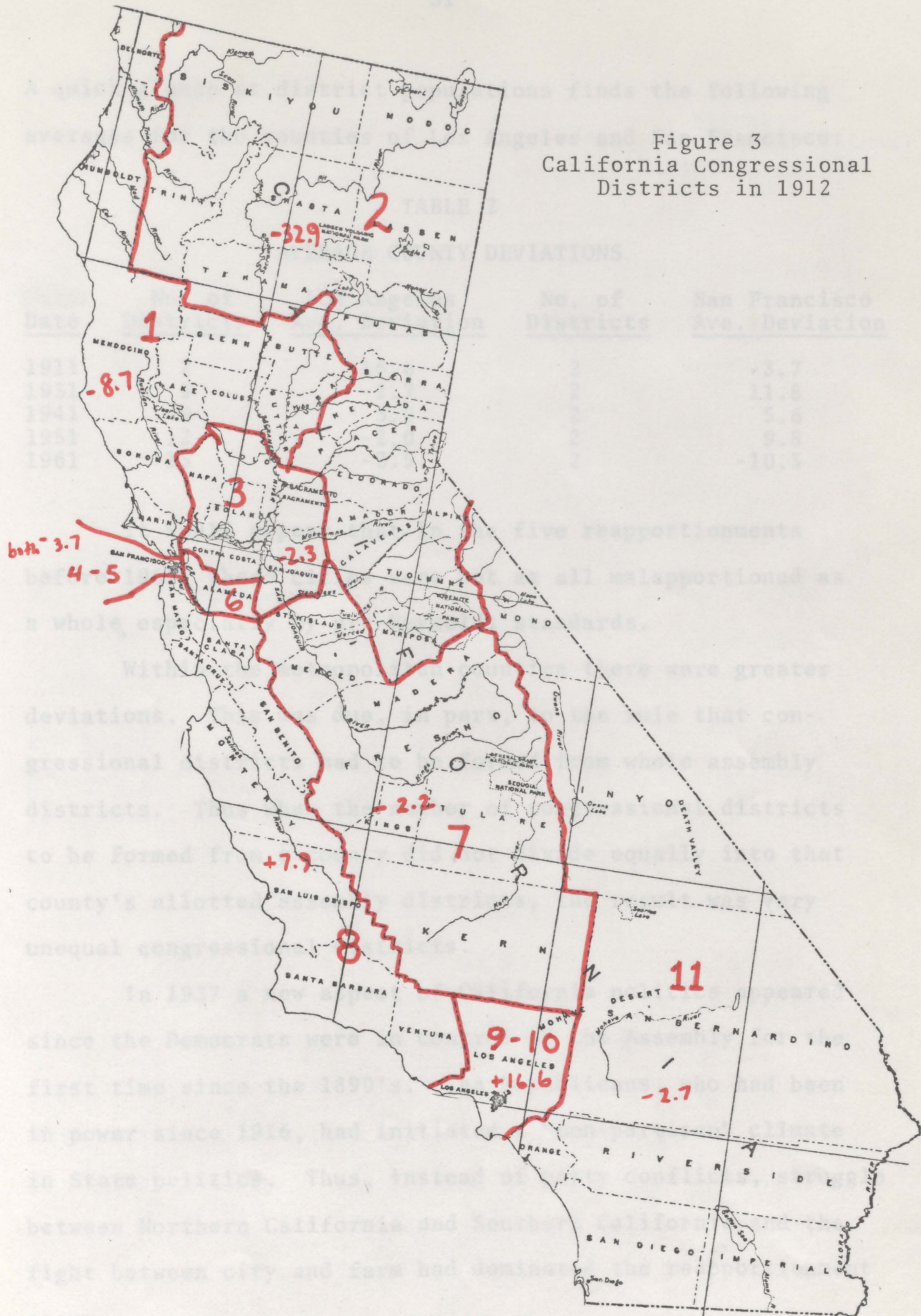
The reapportionment in 1911 brought three new congressional seats to California and both the counties of Los Angeles and San Francisco received one new seat. The deviation of district sizes, however, increased with the Second District comprised of the Sierra Mountains area being 32.9 percent under ideal size and the Tenth District in Los Angeles County being 26.9 percent over average (see figure 3).

The distribution of the nine new seats awarded to California in 1931 was even worse than that in 1911. The Second District had gained in population by only 8 percent since 1910 and even with the addition of two new counties, that District was 41.7 percent under ideal district size. Four districts were over 15 percent above average, with the largest being the Thirteenth District in Los Angeles County with an excess of 23.3 percent (see figure 4).

With the addition of three more seats in 1941, representation did not become any closer. Just as in 1931 about 35 percent of the newly created districts varied from ideal size by more than 15 percent (see figure 5).

It is hard to prove that the cities of California were intentionally deprived of adequate representation since 1911.

Figure 3
California Congressional
Districts in 1912



A quick glance at district populations finds the following averages for the counties of Los Angeles and San Francisco:

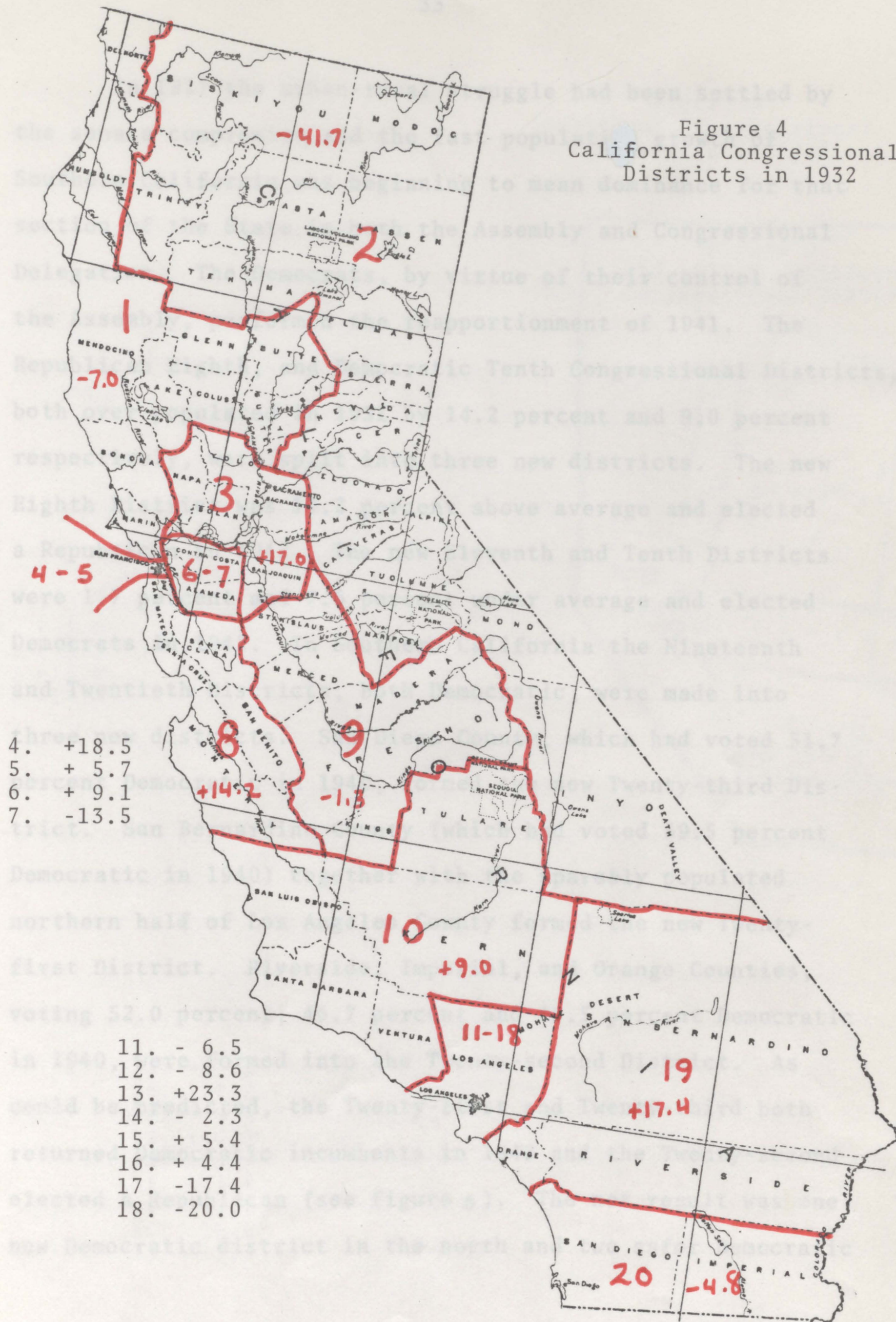
TABLE 2
AVERAGE COUNTY DEVIATIONS

<u>Date</u>	<u>No. of Districts</u>	<u>Los Angeles Ave. Deviation</u>	<u>No. of Districts</u>	<u>San Francisco Ave. Deviation</u>
1911	2	16.6	2	-3.7
1931	9	-2.7	2	11.8
1941	9	3.0	2	5.6
1951	12	-2.0	2	9.8
1961	15	-2.5	2	-10.5

It would appear that in the five reapportionments before 1967, these cities were not at all malapportioned as a whole, especially by pre-Reynolds standards.

Within the metropolitan counties there were greater deviations. This was due, in part, to the rule that congressional districts had to be formed from whole assembly districts. Thus when the number of congressional districts to be formed from a county did not divide equally into that county's allotted assembly districts, the result was very unequal congressional districts.

In 1937 a new aspect of California politics appeared since the Democrats were in control of the Assembly for the first time since the 1890's. The Republicans, who had been in power since 1916, had initiated a "non-partisan" climate in State politics. Thus, instead of party conflicts, struggle between Northern California and Southern California and the fight between city and farm had dominated the reapportionment scene.



In 1927 the urban-rural struggle had been settled by the senate compromise, and the fast population growth of Southern California was beginning to mean dominance for that section of the State in both the Assembly and Congressional Delegation. The Democrats, by virtue of their control of the Assembly, performed the reapportionment of 1941. The Republican Eighth, and Democratic Tenth Congressional Districts, both over populated in 1931 by 14.2 percent and 9.0 percent respectively, were split into three new districts. The new Eighth District was 14.2 percent above average and elected a Republican in 1942. The new Eleventh and Tenth Districts were 1.7 percent and 7.6 percent under average and elected Democrats in 1942. In Southern California the Nineteenth and Twentieth Districts, both Democratic, were made into three new districts. San Diego County, which had voted 51.7 percent Democratic in 1940, formed the new Twenty-third District. San Bernardino County (which had voted 59.5 percent Democratic in 1940) together with the sparsely populated northern half of Los Angeles County formed the new Twenty-first District. Riverside, Imperial, and Orange Counties, voting 52.0 percent, 46.7 percent and 46.5 percent Democratic in 1940, were formed into the Twenty-second District. As could be predicted, the Twenty-first and Twenty-third both returned Democratic incumbents in 1942 and the Twenty-second elected a Republican (see figure 6). The net result was one new Democratic district in the north and two safer Democratic

Figure 5
California Congressional
Districts in 1942

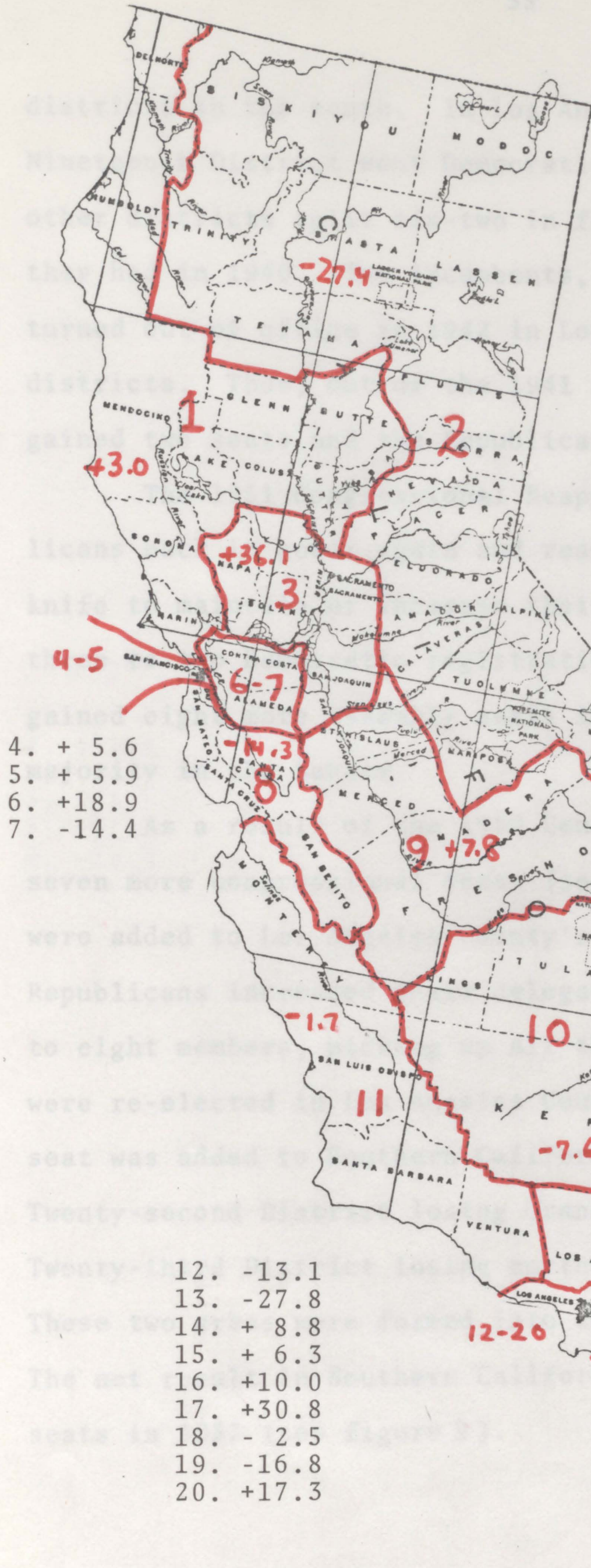
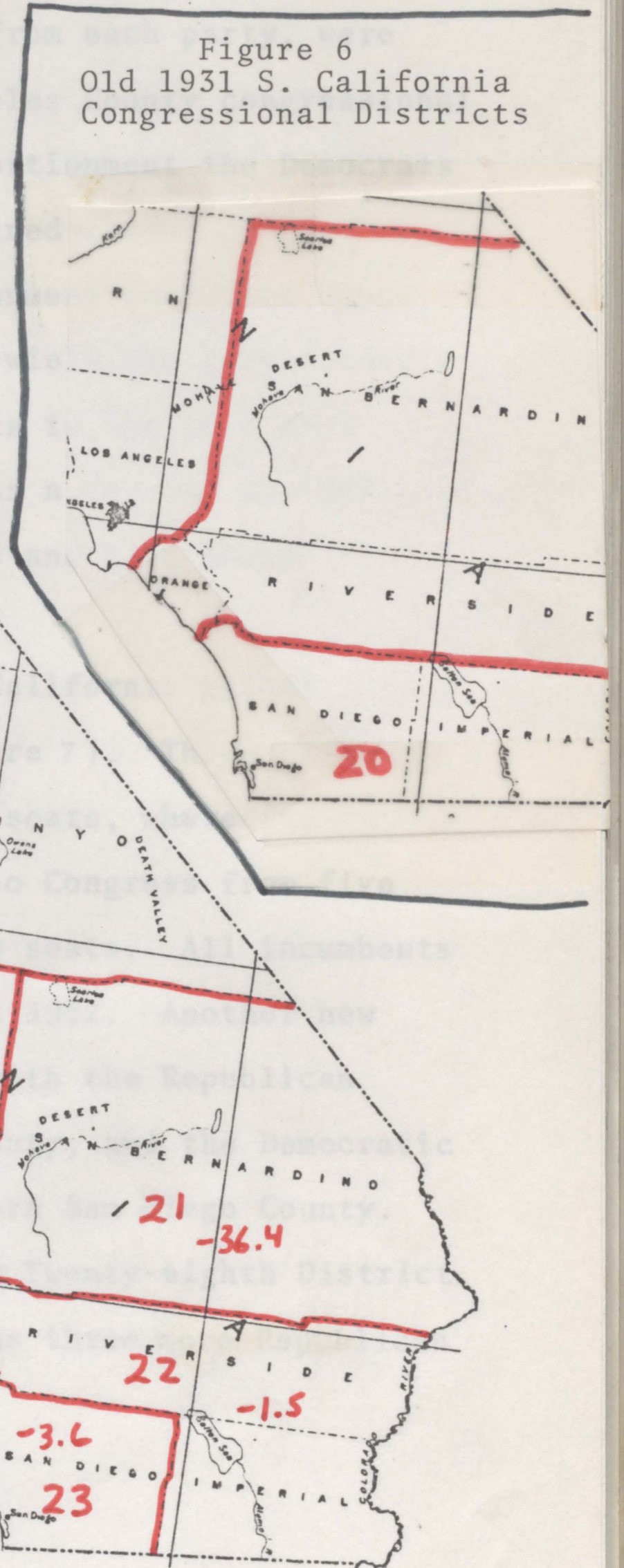


Figure 6
Old 1931 S. California
Congressional Districts

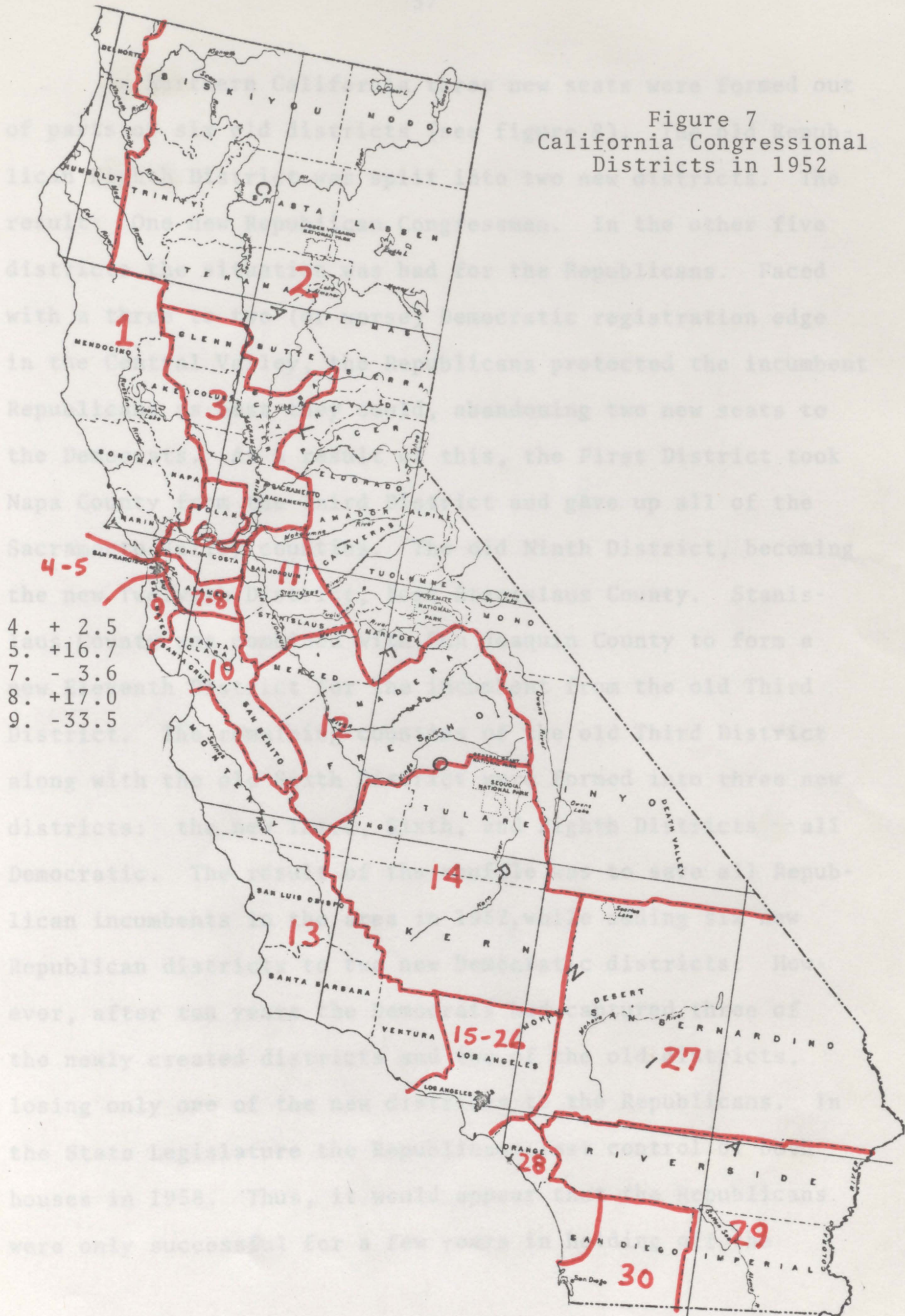


districts in the south. In Los Angeles County the added Nineteenth District went Democratic in 1942, while the eight other districts split six-two in favor of the Democrats as they had in 1940. Two incumbents, one from each party, were turned out of office in 1942 in Los Angeles County congressional districts. Thus, out of the 1941 reapportionment the Democrats gained two seats and the Republicans gained one.

The 1951 Congressional Reapportionment found the Republicans back in power again and ready to wield the gerrymander's knife to maintain or increase their seats in the face of a three to two Democratic registration. As a result, the GOP gained eight more assembly seats in 1952 and held their majority in the Senate.

As a result of the 1950 Census, California gained seven more congressional seats (see figure 7). Three seats were added to Los Angeles County's nine seats, where the Republicans increased their delegation to Congress from five to eight members, picking up all the new seats. All incumbents were re-elected in Los Angeles County in 1952. Another new seat was added to Southern California, with the Republican Twenty-second District losing Orange County, and the Democratic Twenty-third District losing north-western San Diego County. These two areas were formed into the new Twenty-eighth District. The net result in Southern California was three more Republican seats in 1952 (see figure 9).

Figure 7
California Congressional
Districts in 1952



In Northern California three new seats were formed out of parts of six old districts (see figure 8). The old Republican Eighth District was split into two new districts. The result: One new Republican Congressman. In the other five districts the situation was bad for the Republicans. Faced with a three to two (or worse) Democratic registration edge in the Central Valley, the Republicans protected the incumbent Republicans as best they could, abandoning two new seats to the Democrats. As a result of this, the First District took Napa County from the Third District and gave up all of the Sacramento Valley counties. The old Ninth District, becoming the new Twelveth District, lost Stanislaus County. Stanislaus County was combined with San Joaquin County to form a new Eleventh District for the incumbent from the old Third District. The remaining counties of the old Third District along with the old Sixth District were formed into three new districts: the new Third, Sixth, and Eighth Districts -- all Democratic. The result of the shuffle was to save all Republican incumbents in the area in 1952, while adding six new Republican districts to two new Democratic districts. However, after ten years the Democrats had captured three of the newly created districts and two of the old districts, losing only one of the new districts to the Republicans. In the State Legislature the Republicans lost control of both houses in 1958. Thus, it would appear that the Republicans were only successful for a few years in holding off the

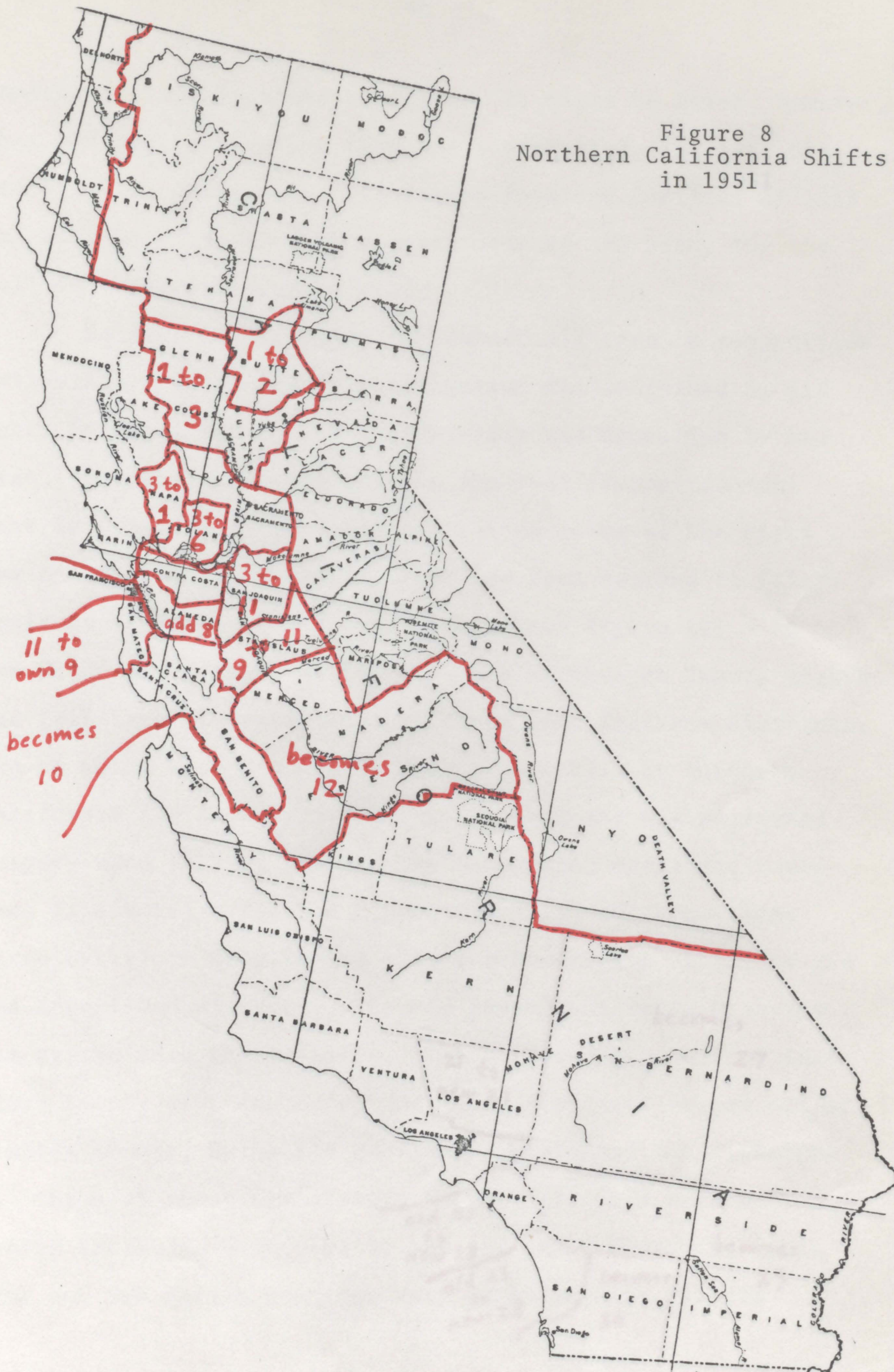
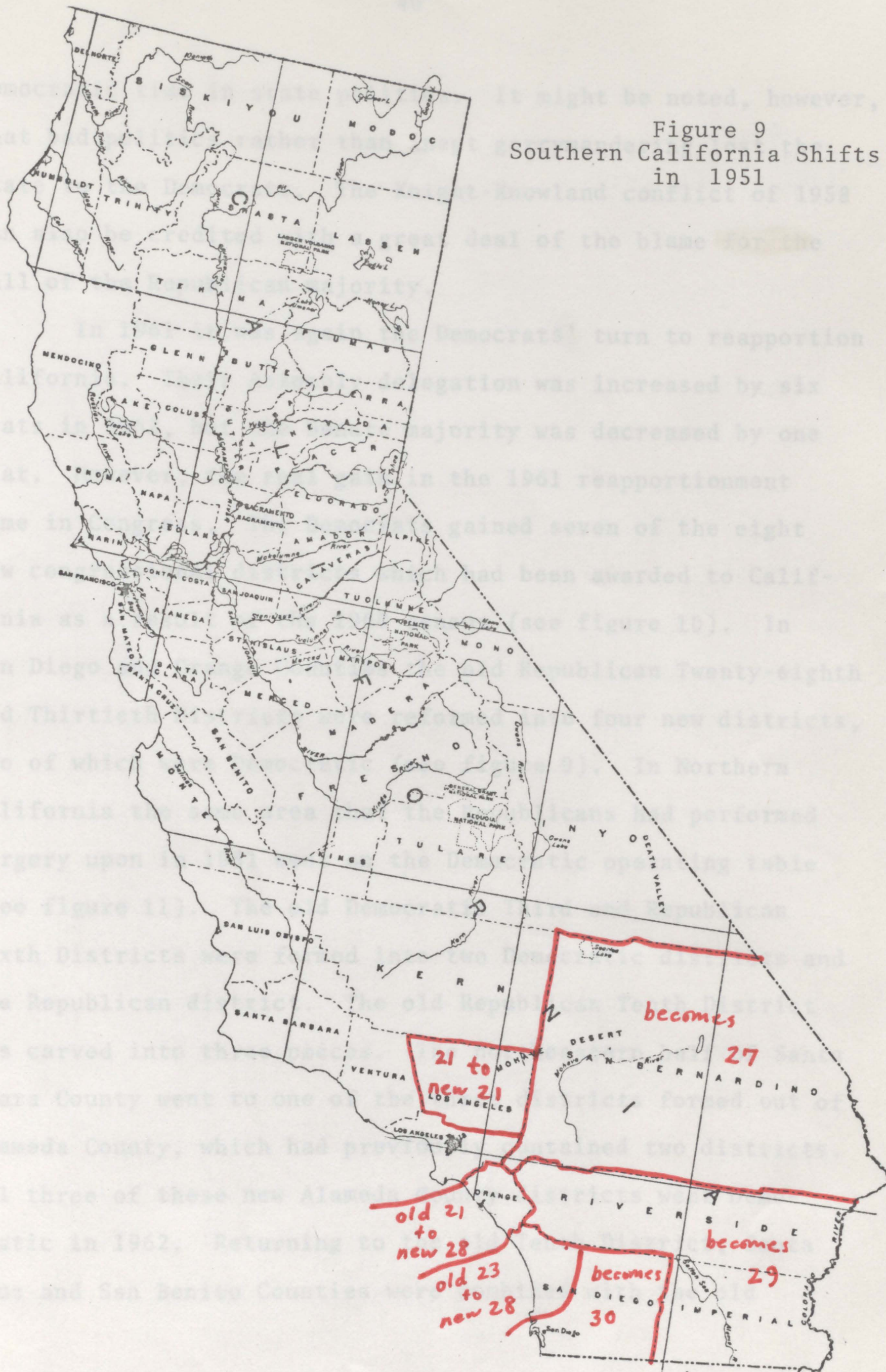


Figure 9
Southern California Shifts
in 1951



Democratic tide in state politics. It might be noted, however, that bad politics rather than inept gerrymandering lost the State to the Democrats. The Knight-Knowland conflict of 1958 can also be credited with a great deal of the blame for the fall of the Republican majority.

In 1961 it was again the Democrats' turn to reapportion California. Their Assembly delegation was increased by six seats in 1962, but the Senate majority was decreased by one seat. However, the real gain in the 1961 reapportionment came in Congress. The Democrats gained seven of the eight new congressional districts which had been awarded to California as a result of the 1960 census (see figure 10). In San Diego and Orange Counties the old Republican Twenty-eighth and Thirtieth Districts were reformed into four new districts, two of which were Democratic (see figure 9). In Northern California the same area that the Republicans had performed surgery upon in 1951 went on the Democratic operating table (see figure 11). The old Democratic Third and Republican Sixth Districts were formed into two Democratic districts and one Republican district. The old Republican Tenth District was carved into three pieces. The northeastern half of Santa Clara County went to one of the three districts formed out of Alameda County, which had previously contained two districts. All three of these new Alameda County districts went Democratic in 1962. Returning to the old Tenth District, Santa Cruz and San Benito Counties were combined with the old

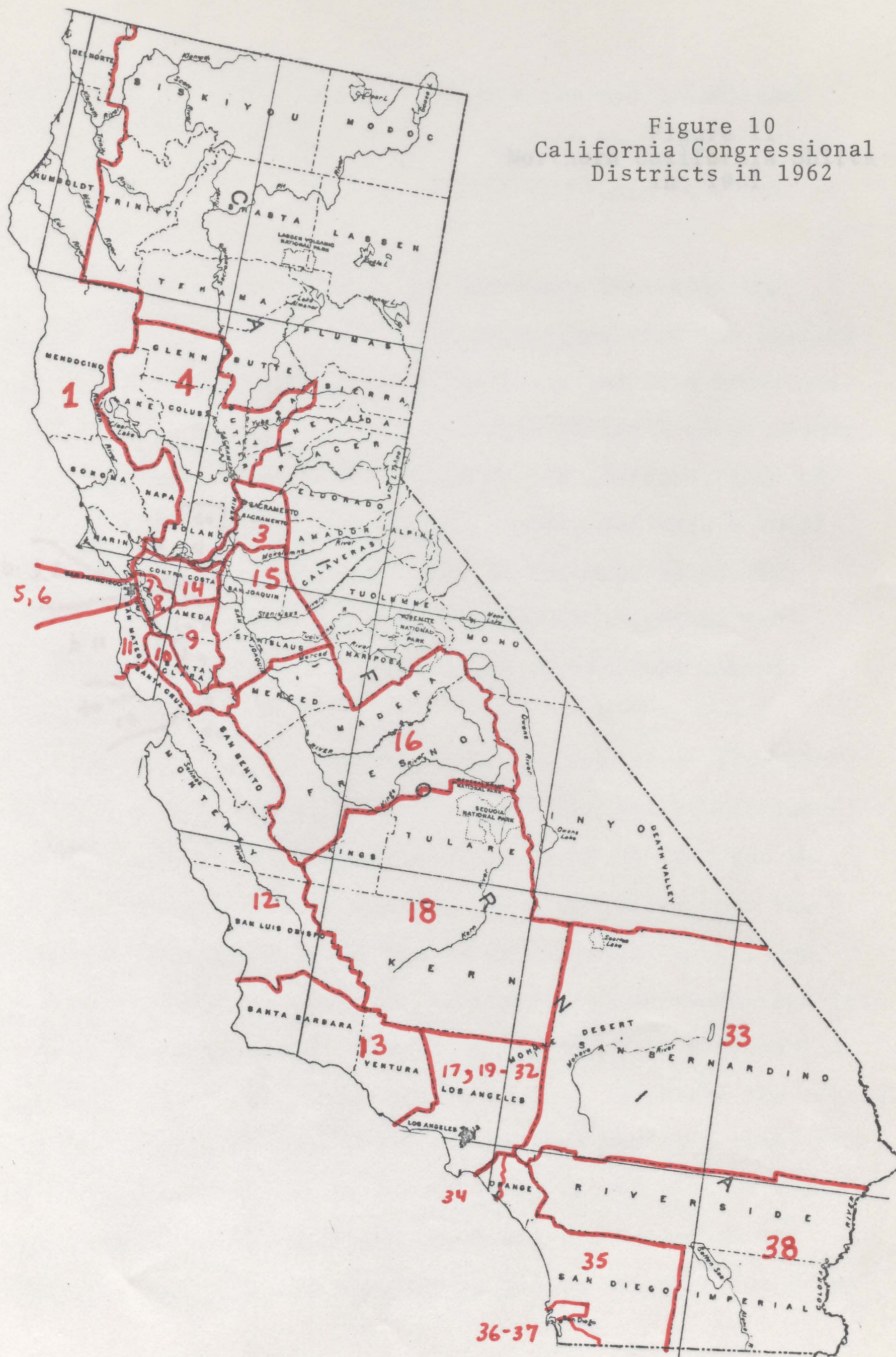
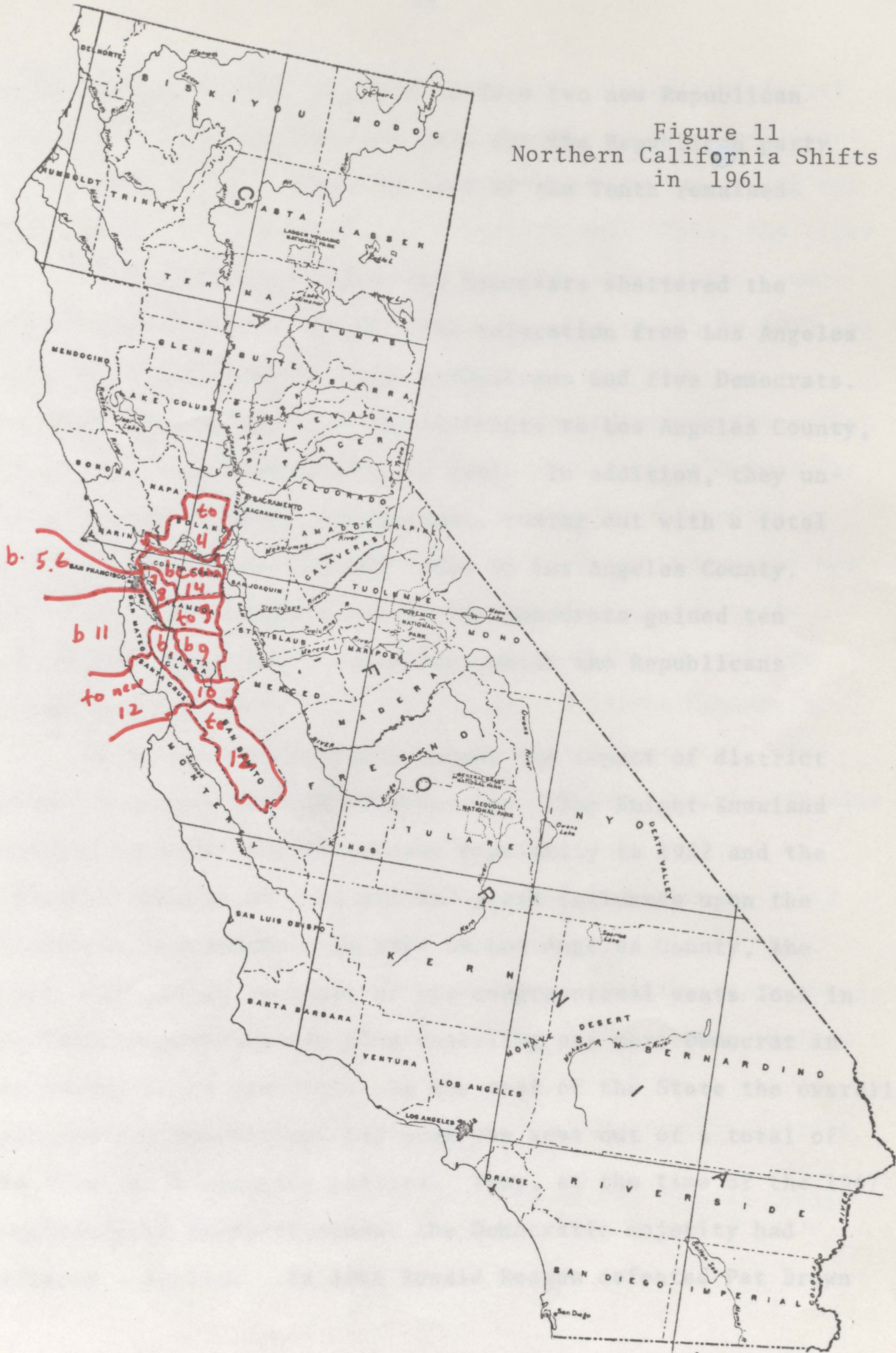


Figure 11
Northern California Shifts
in 1961



Republican Thirteenth District to form two new Republican districts. This was the only gain for the Republican party in the whole State. What was left of the Tenth remained Republican.

In Los Angeles County the Democrats shattered the Republican majority. In 1961 the delegation from Los Angeles County was comprised of seven Republicans and five Democrats. The Democrats added three new districts to Los Angeles County, all of which went Democratic in 1962. In addition, they unseated three incumbent Republicans, coming out with a total of eleven out of the fifteen seats in Los Angeles County. Out of the 1961 reapportionment the Democrats gained ten new congressional seats statewide, while the Republicans gained only one seat.

It is hard to properly assess the impact of district formation on the results of elections. The Knight-Knowland struggle in 1958, the Eisenhower popularity in 1952 and the Goldwater debacle of 1964 all had great influence upon the California electorate. By 1964 in Los Angeles County, the G.O.P. had gained back two of its congressional seats lost in the 1961 reapportionment plus unseating one more Democrat in the Twenty-third District. In the rest of the State the overall gain for the Republicans had been one seat out of a total of the five seats changing parties. Thus, at the time of the 1967 Congressional Reapportionment the Democratic majority had suffered a decline. In 1966 Ronald Reagan defeated Pat Brown

for the governorship. This became a very significant factor in the 1967 Congressional reapportionment, as the Republicans then had the power to veto any reapportionment law coming out of the Democratically controlled Legislature. Thus, the lines in the 1967 reapportionment were drawn to protect the incumbents of both parties (see figure 12). The result in 1968 was a return of all incumbents to Congress.¹

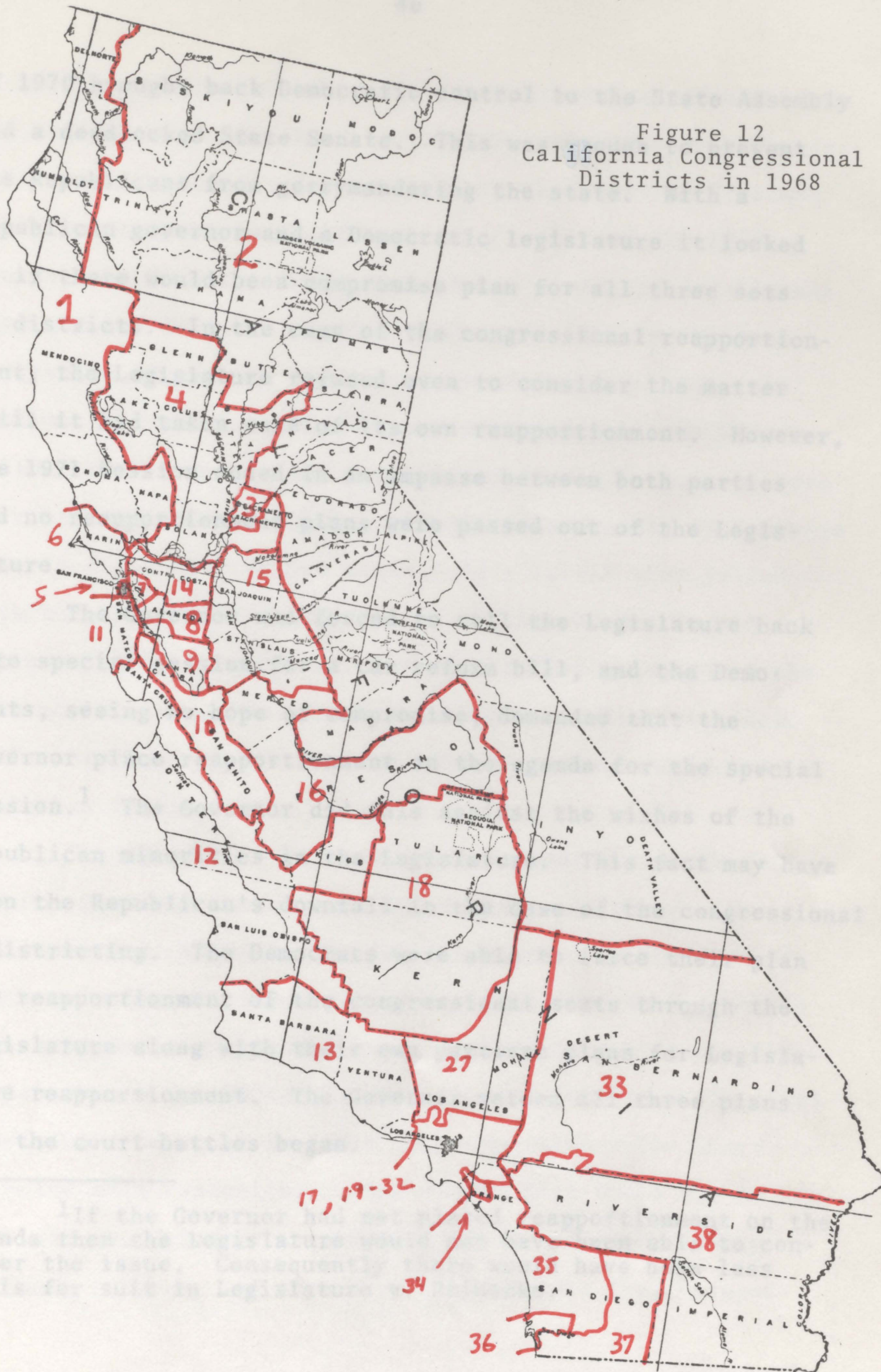
Claims have been levelled by both parties to the effect that population size of districts has been used as a tool for gerrymandering. There is evidence to support this claim on both sides. In 1941 the Democrats created two undersized new districts outside of Los Angeles County to gain new seats. In 1951 all the newly created Republican districts outside of Los Angeles County were undersized. Only one Democratic district was undersized and then, by only 3.1 percent. In 1961 six of the new Democratic districts outside of Los Angeles County were undersized.²

Leading into the 1970 Reapportionment it appeared as if the Republican Party was going to be able to gerrymander the Democrats as they had been gerrymandered in 1961. Their hopes, however, were not to be fulfilled. The legislative elections

¹The incumbent did not run in the Seventeenth District and another Democrat was elected in 1968.

²See Chapter III for an analysis of Los Angeles County congressional districts.

Figure 12
California Congressional
Districts in 1968



of 1970 brought back Democratic control to the State Assembly and a deadlocked State Senate. This was enough to prevent the Republicans from gerrymandering the state. With a new Republican governor and a Democratic legislature it looked as if there would be a compromise plan for all three sets of districts. In the case of the congressional reapportionment, the Legislature refused even to consider the matter until it had taken care of its own reapportionment. However, the 1971 Session ended in an impasse between both parties and no reapportionment plans were passed out of the Legislature.

The Governor was forced to call the Legislature back into special session for a tax reform bill, and the Democrats, seeing no hope of compromise, demanded that the Governor place reapportionment on the agenda for the special session.¹ The Governor did this against the wishes of the Republican minorities in the Legislature. This fact may have been the Republican's downfall in the case of the congressional redistricting. The Democrats were able to force their plan for reapportionment of the congressional seats through the Legislature along with their own partisan plans for Legislative reapportionment. The Governor vetoed all three plans and the court battles began.

¹If the Governor had not placed reapportionment on the agenda then the Legislature would not have been able to consider the issue. Consequently there would have been less basis for suit in Legislature v. Reinecke.

The congressional plan which had been passed out of the Legislature and vetoed by the Governor had been objectionable to him primarily due to the fact that, of the five new seats apportioned to California as a result of the 1970 Census, the Democrats had taken three, given the Republicans one, and had left one marginal. However, the Republicans had failed to protect themselves in two ways. First, the Governor did not have the support of the Republican Delegation for his veto. The Republicans in the Delegation were more interested in returning all their incumbents to Congress than in fighting over new seats. As a result they joined with the Democratic Delegation in urging the California Supreme Court to accept the Democratic Plan in spite of the Governor's veto. The second Republican omission was their failure to have an alternative plan ready for timely presentation to the Court.

The California Supreme Court, assuming that there was not partisan intent, was faced with a dilemma. In *Legislature v. Reinecke* the Court was asked by the Democrats to order all three plans into effect on the principle that reapportionment was a legislative matter. It was the contention of the Democrats that they did not need the signature of the Governor in order to reapportion. The Court rejected this contention. They stated that there was no way to evade the Governor's veto and, thus, to enact a reapportionment statute, and it was only by statute that reappor-

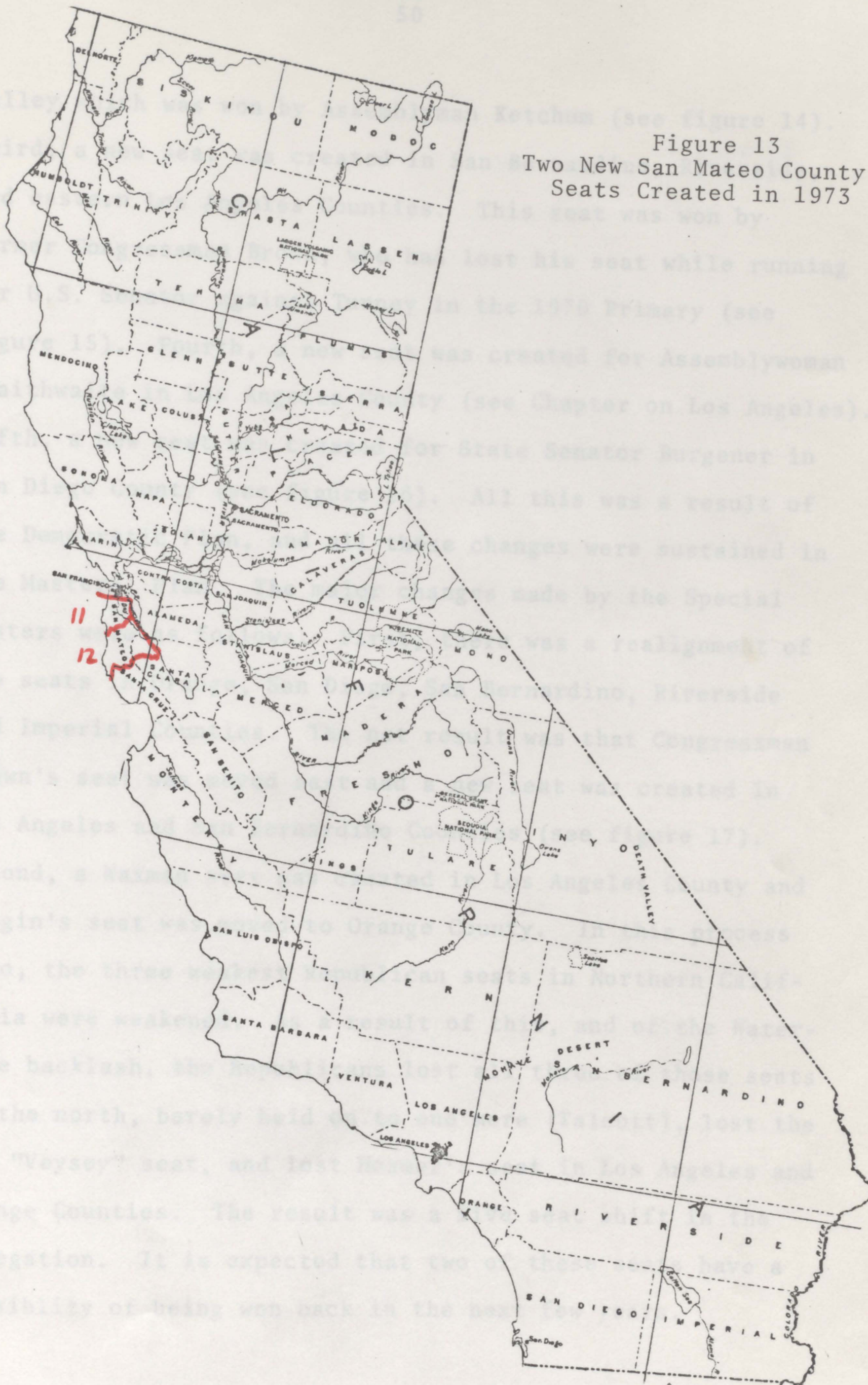
tionment could occur. The Court ordered that the 1972 elections be held using the 1965 Legislative Districts.

However, in the case of the congressional districts, the U.S. Congress had mandated that congressmen could only be elected from single-member districts. As California had been allotted five new seats, some interim solution had to be found. The Court, maintaining that there was "no other readily available congressional reapportionment plan" available but that "vetoed by the Governor," passed over two other plans which had been submitted by Republicans and ordered the plan of the Democrats into effect.¹ This plan, in effect, became the new status quo around which the Special Masters' Plan was evolved. The result of the 1972 General Election was that the Republicans won two of the new seats, the Democrats three, and all incumbents were returned who stood for re-election or were replaced by members of the same party. The Delegation was now twenty-three Democrats and twenty Republicans.

The major changes in the Geographic alignment of the California congressional districts were as follows: First one seat was added to the San Francisco Bay Area. The Democrats elected to push McCloskey's seat to the southern end of San Mateo County and into Santa Clara County. This formed a new seat for Assemblyman Ryan (see figure 13). Second, a new seat was created at the southern end of the San Joaquin

¹Legislature v. Reinecke 6 Cal. 3d

Figure 13
Two New San Mateo County
Seats Created in 1973



Valley which was won by Assemblyman Ketchum (see figure 14). Third, a new seat was created in San Bernardino, Riverside, and eastern Los Angeles Counties. This seat was won by former Congressman Brown, who had lost his seat while running for U.S. Senator against Tunney in the 1970 Primary (see figure 15). Fourth, a new seat was created for Assemblywoman Braithwaite in Los Angeles County (see Chapter on Los Angeles). Fifth, a new seat was created for State Senator Burgener in San Diego County (see figure 16). All this was a result of the Democratic Plan, and all these changes were sustained in the Masters' Plan. The major changes made by the Special Masters were as follows: First, there was a realignment of the seats in Orange, San Diego, San Bernardino, Riverside and Imperial Counties. The net result was that Congressman Brown's seat was moved east and a new seat was created in Los Angeles and San Bernardino Counties (see figure 17). Second, a Waxman seat was created in Los Angeles County and Wiggin's seat was moved to Orange County. In this process also, the three weakest Republican seats in Northern California were weakened. As a result of this, and of the Watergate backlash, the Republicans lost all three of those seats in the north, barely held on to one more (Talcott), lost the new "Veysey" seat, and lost Hosmer's seat in Los Angeles and Orange Counties. The result was a five seat shift in the delegation. It is expected that two of these seats have a possibility of being won back in the next few years.

Figure 14
New San Joaquin Valley District



Figure 15
District Created for
Former Congressman
George Brown

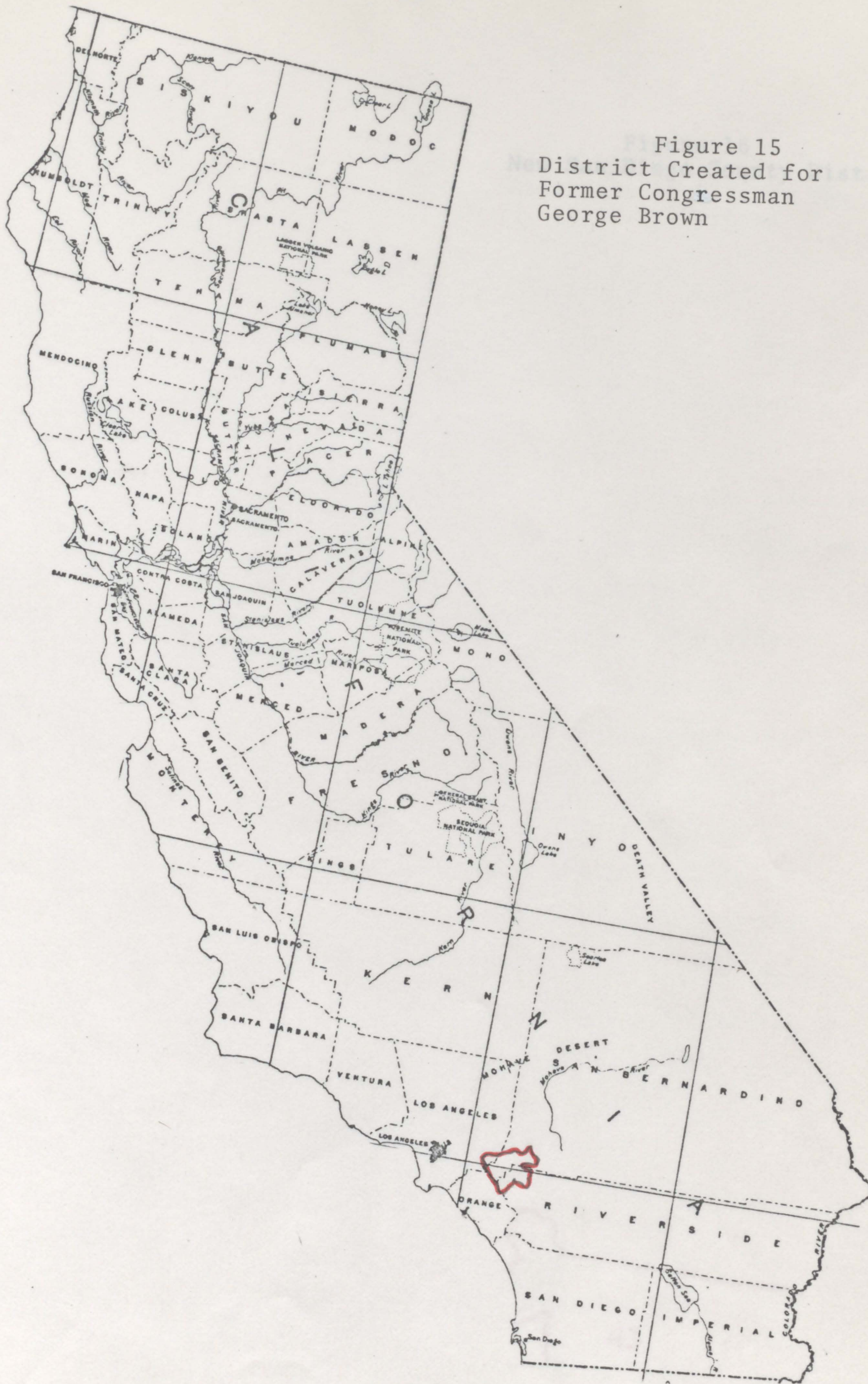
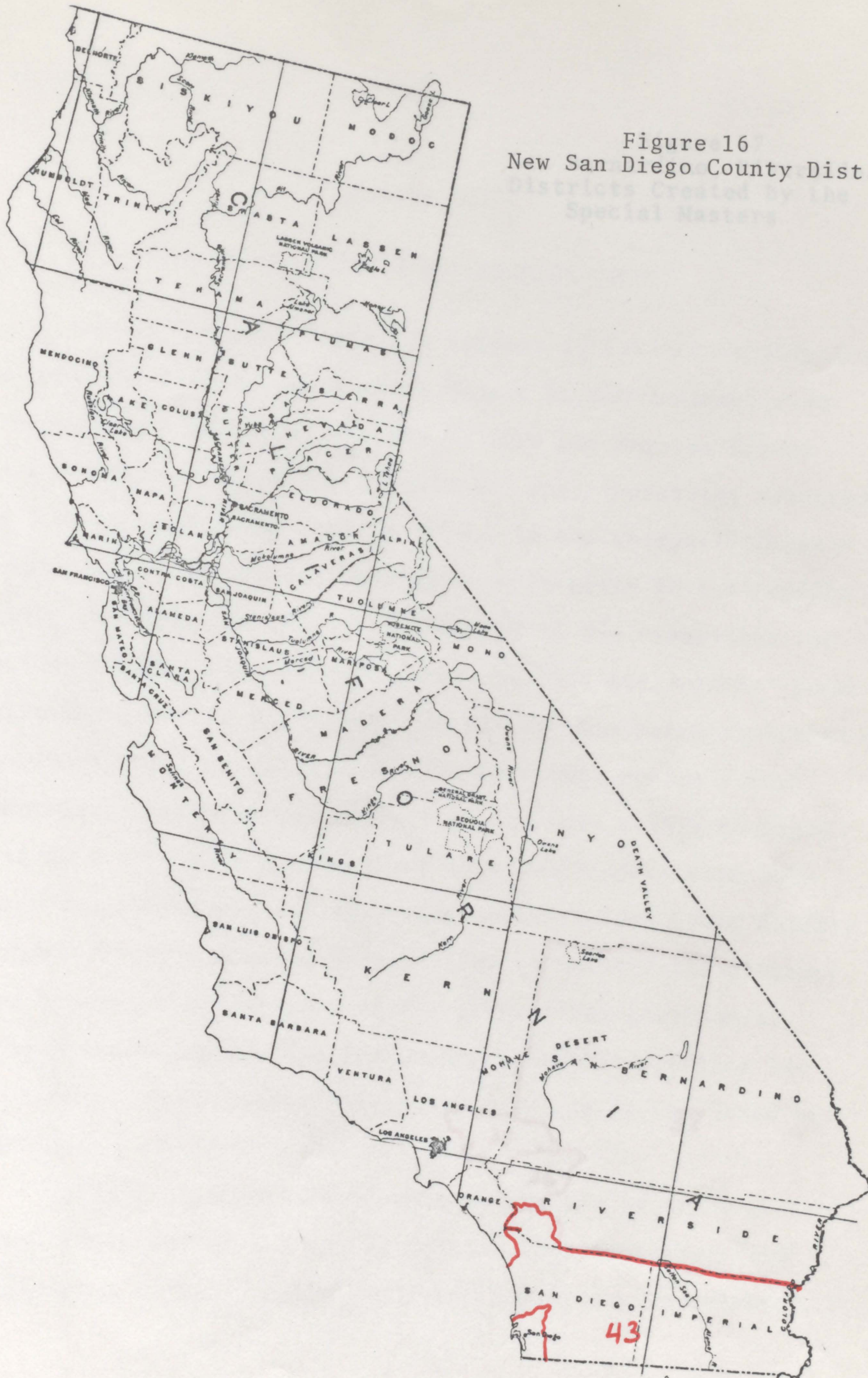
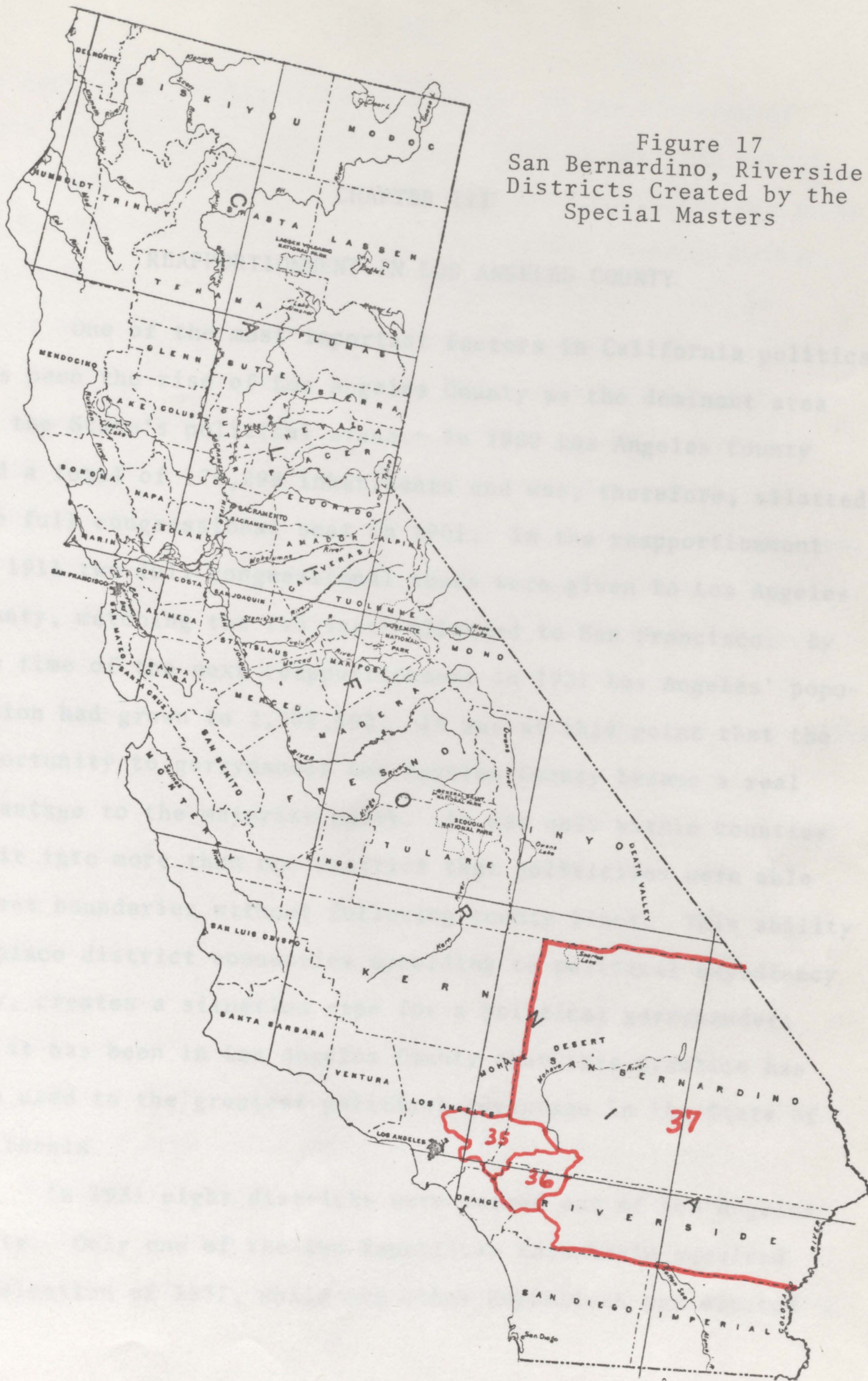


Figure 16
New San Diego County Dist.





CHAPTER III

REAPPORTIONMENT IN LOS ANGELES COUNTY

One of the most important factors in California politics has been the rise of Los Angeles County as the dominant area of the State's political arena. In 1900 Los Angeles County had a total of 170,298 inhabitants and was, therefore, allotted one full congressional seat in 1901. In the reapportionment of 1911 two full congressional seats were given to Los Angeles County, matching the two seats allotted to San Francisco. By the time of the next reapportionment in 1931 Los Angeles' population had grown to 2,208,492. It was at this point that the opportunity to gerrymander Los Angeles County became a real advantage to the majority party. It was only within counties split into more than one district that politicians were able to set boundaries without following county lines. This ability to place district boundaries according to political expediency only, creates a situation ripe for a political gerrymander; and it has been in Los Angeles County that this practice has been used to the greatest political advantage in the State of California.

In 1931 eight districts were formed out of Los Angeles County. Only one of the two Republican incumbents survived the election of 1932, while one other Republican was elected

to represent a newly formed district. In the election of 1934 the Democrats swept the County gaining thirteen out of the twenty seats statewide. In 1938 the Republicans won seats in the three districts representing the San Fernando Valley, Santa Monica, and Long Beach. A pattern emerged that is still present today, with the Democrats being entrenched in the center of the County and the Republicans holding the outlying districts. In 1941 the Legislature was controlled by the Democrats and in the subsequent reapportionment they added one new district to the central city area of Los Angeles. The Republicans came out of the post-reapportionment election of 1942 with only two seats, one in the San Fernando Valley and the other in the Long Beach area. By 1950, however, the G.O.P. held five seats in Los Angeles County and also controlled the Legislature for the next reapportionment. As could be expected, the Republicans formed the three new seats in Republican areas of the County. As a result, all but one of the districts formed in 1951, which became Republican, were highly deficient in population. The one Republican district which was over average district size was only 10.5 percent over average-- smaller than any of the Democratic districts.

In order to accomplish this gerrymander, the Republicans chose the old Eighteenth and Nineteenth districts running from Alhambra to Long Beach (See figure 18). Out of this area they took the Long Beach vicinity and formed the new Republican Eighteenth District. The Democratic areas of the Sixteenth

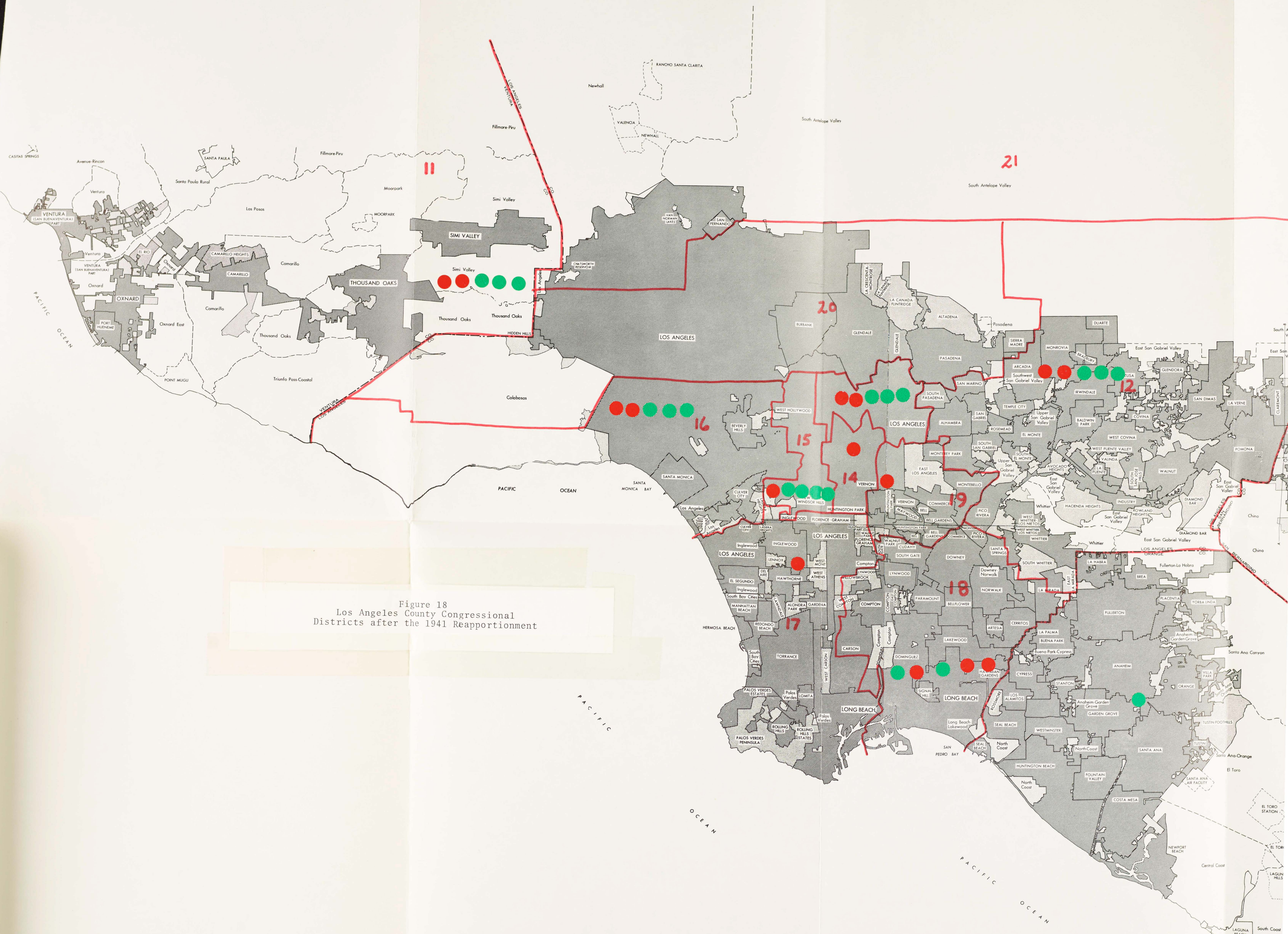
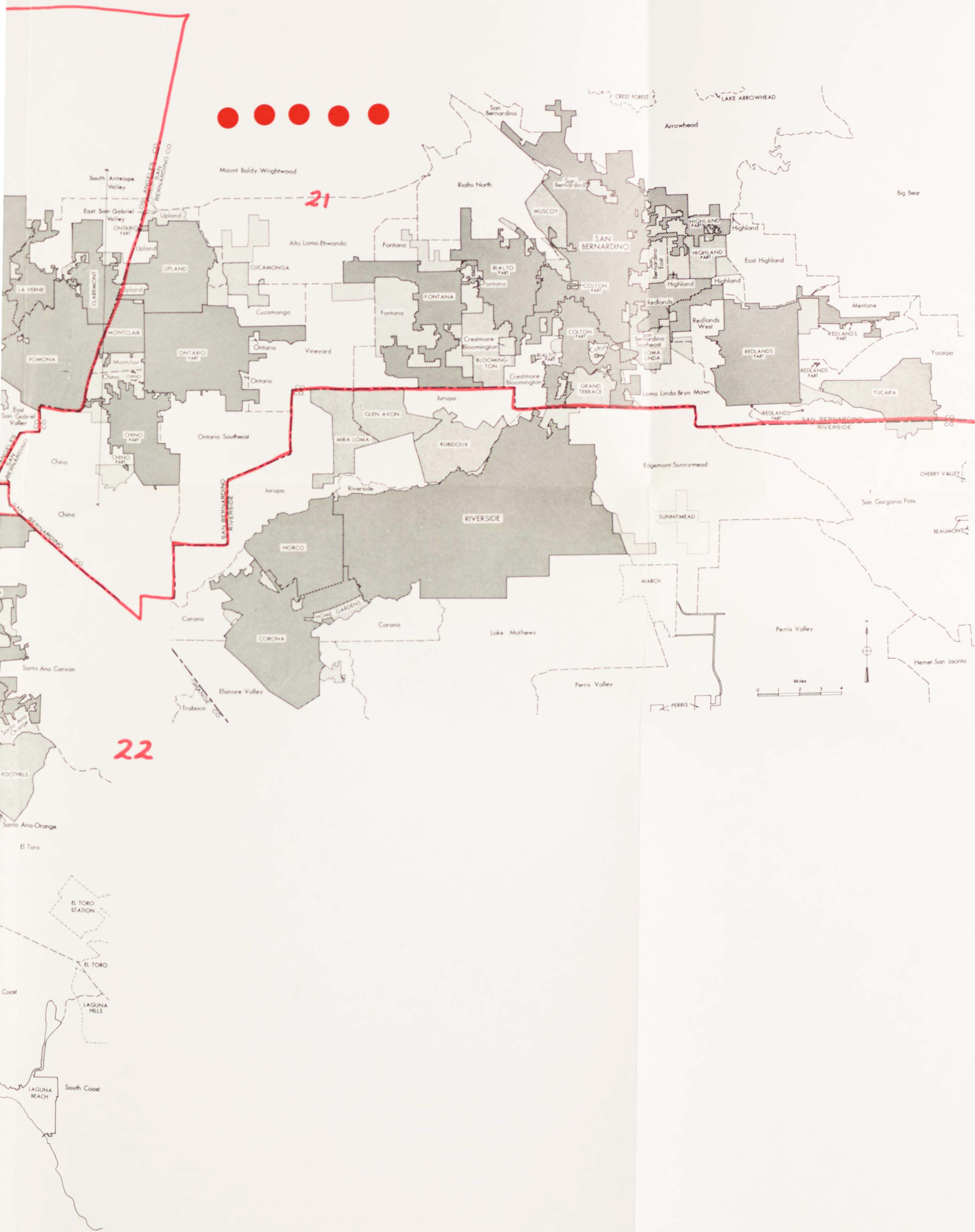


Figure 18
Los Angeles County Congressional
Districts after the 1941 Reapportionment



and Fifteenth Districts were combined with the southern half of the old Fourteenth and part of the Seventeenth District to form the Democratic Twenty-sixth District. The remaining part of the County, including the northern half which had been part of the old Twenty-first District, (along with San Bernadino County) was redivided, creating two new Republican districts. There was a great deal of justification for the Democrat's accusation of a gerrymander in this reapportionment. The Democrats held 33 percent of the seats but represented 43 percent of the people of the County. Thus, the area comprising these four Democratic districts was entitled to 5.15 seats on a basis of strict apportionment by population. It was claimed that by this device the Republicans were able to hold all eight districts they won in 1952 until 1958. If hindsight is any justification, the malapportionment of Los Angeles County in 1951 can be justified by the fact that a larger population growth in those districts held by the Republicans between 1951 and 1961, lowered the entitlement of the four original Democratic districts to 4.15 seats in terms of the 1960 census figures.¹

The seven to five Republican majority in the congressional delegation from Los Angeles County was ended in 1962 by the Democratic reapportionment in 1961. As a result of the newly

¹Bureau of the Census 1960, "Population of Congressional Districts: 1960 and 1950," 1960 Census of Population, Supplementary Reports, PC(S1)-53, (Washington, D.C.: Government Printing Office, April 1, 1968).

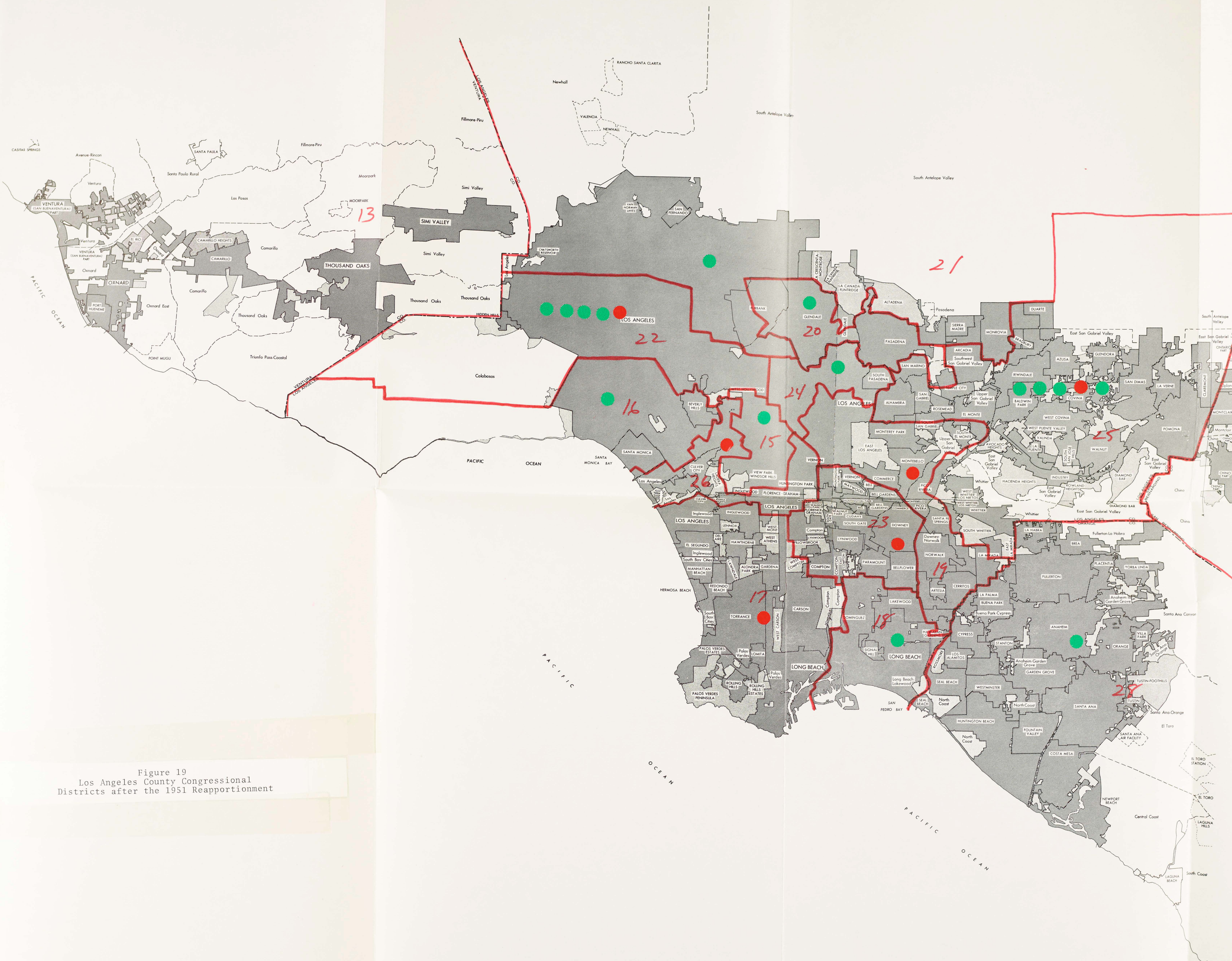
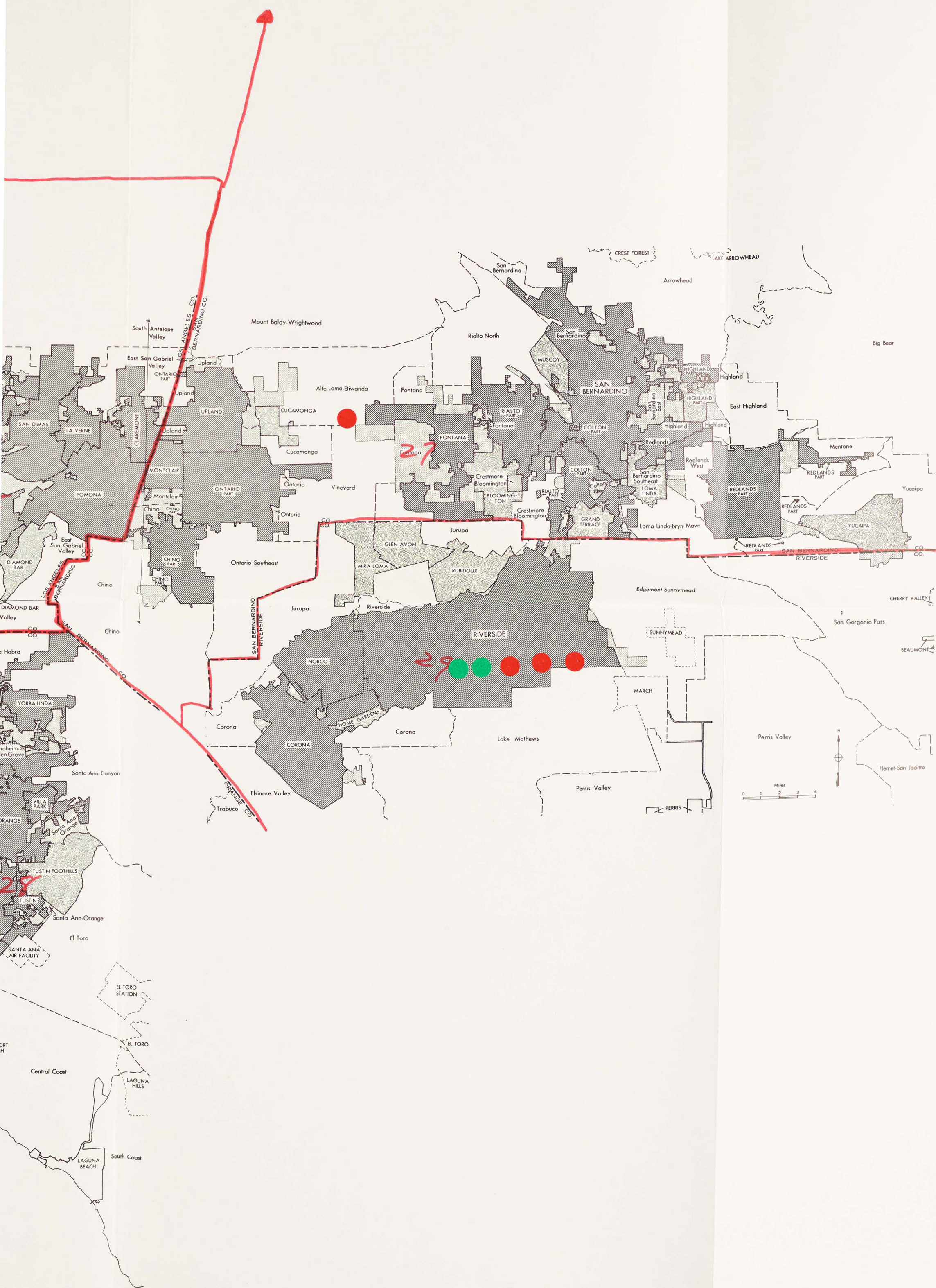


Figure 19
Los Angeles County Congressional
Districts after the 1951 Reapportionment



formed districts and the Goldwater presidential campaign of 1962, the Democrats came out with a majority of eleven to four seats. The Democrats followed much the same procedure as the Republicans had in 1951. However, they turned to the inner part of the metropolitan area as much as possible in their creation of new Democratic seats in safe territory (see figure 36). Even with this goal in mind, one new seat had to be created in the San Fernando and San Gabriel Valleys where three districts, the Twenty-first, Twenty-second and Twenty-fifth, had increased in population by just over 100 percent. The Twenty-second District had been carried by Congressman James C. Corman in 1960. Therefore, Republican areas of his district were added on to the new Twenty-eighth District. Out of what was left of the Twenty-first and Twenty-second, the new Twenty-second and Twenty-seventh Districts were formed. In the eastern part of the County the Twenty-fifth District was formed out of the southern part of the old Twenty-fifth. The northern half of the old district was combined with the eastern part of the old Twenty-fourth District to form the new Twenty-fourth District. Although the Democrats carried the Twenty-second and Twenty-fifth Districts in 1962, they were both Republican again in 1966. This phenomenon might be due in part to a recovery by the Republicans from the Johnson landslide in 1964.

The reapportionment of the central metropolitan area was dominated by the composition of the Twenty-eighth District.

Republican areas in western Los Angeles and the coastal cities from Santa Monica to Palos Verdes were all formed into one large Republican district with a population deviation of 42.5 percent above ideal district size. This was the largest deviation ever recorded of a congressional district in California. This isolation of Republicans took strongly Republican areas out of the Seventeenth District. The Seventeenth, Nineteenth, Twenty-third and Twenty-sixth Districts were all moved out toward the edge of the County. The old Fifteenth District (along with the territory given up by the four districts cited directly above) was formed into four districts. The old Eighteenth District, located in the Long Beach area, was not significantly changed in area and was redesignated as the Thirty-second District.

The districts created in 1961 were much closer to the average than the districts of 1951. In 1961 only one district created deviated from the ideal size by more than 13 percent. In 1951 only three districts deviated less than that figure. This is due to the law that congressional districts must be formed from whole assembly districts. In both reapportionments the number of assembly districts formed Los Angeles County was thirty-one. In 1951 this meant that seven congressional districts containing three assembly districts, and five more congressional districts containing only two assembly districts were formed. But in 1961, fourteen congressional districts contained two assembly districts

each, and only one congressional district (the Twenty-eighth) contained three assembly districts.

In 1967 the goals in reapportionment were different from past apportionments. The first goal was to create districts with populations acceptable to the courts. The second goal was to return all the incumbents. The latter goal was due in part to the fact that the governorship was now held by a Republican, and a Democratically controlled Legislature could not hope to get a highly partisan bill past his veto.

Because of the "one man-one vote" standard, California congressional district boundaries are no longer restricted to following district boundaries. Thus, in 1967 the Legislature had a free hand to adjust the 1961 districts in any way desired. The only limitation was that the deviations in population had to be diminished. The Democrats found themselves in a bad situation because the eight districts they held were all underpopulated, and there was nowhere to gain people except from the suburban, Republican districts (see figure 36). The Twenty-ninth and Nineteenth Districts were able to take people from the Twenty-fifth District and the Twenty-second District could take people from the Twenty-seventh. The remaining five Democratic districts, however, adjoined either already deficient districts or the heavily Republican Twenty-eighth and Thirty-second Districts. Nonetheless, through use of a computer program Democratic areas were found in the Republican districts and the needed

population was transferred. In the following analysis of the specific areas shifted, a code will be cited for each area moved. These codes are found in figures 20 through 35 which are maps of the individual Los Angeles congressional districts. The reader is urged to refer to these maps when reading the remainder of the discussion of the 1967 reapportionment.

The Democratic Seventeenth District was wedged in between the heavily Republican Twenty-eighth and Thirty-second.¹ It was therefore necessary to take a Democratic (but White) section of Compton from the Twenty-third District in order to make up the deficiency (code 17A). The remaining population was supplied by a less populated unincorporated area from the Thirty-second District (code 17B). A Negro area of Compton was given to the Twenty-first District (code 21B).

The Twenty-first District was the unofficial "Black" district of Los Angeles and accordingly, a trade was made to the benefit of that district's congressman, Augustus Hawkins, and the congressman from the Thirty-first District, Charles H. Wilson. The irregularly shaped handle of the Twenty-first, comprised of parts of Southgate and Lynwood, was shifted to the Twenty-third (code 23A). Another Black section of Compton was taken from the Twenty-third and added to the Twenty-first (code 21C). Then, a large block of Blacks was also taken from

¹The author is indebted to Dr. Leroy Hardy, Department of Political Science Long Beach State College and Mr. Gary Bamberg of Datatab Inc., for much of the information used in

the Thirty-first and added to the Twenty-first (code 21A). This increased the Black percentage of population in the Twenty-first and decreased that percentage in the Thirty-first. Thus, Hawkins, a Black, was strengthened and Wilson, who was nervous about being defeated in a primary by a Black Democrat, was also satisfied. The Thirty-first District was then bolstered by smaller additions from the Seventeenth and Twenty-eighth (codes 31A and 31C) and a large section of Culver City from the Twenty-sixth (code 31B).

The Twenty-sixth District was the only Democratic district in the central Los Angeles area which took significant population from the Twenty-eighth District. Congressman Alphonzo Bell of the Twenty-eighth was eager to give up the southern half of Santa Monica, while Congressman Thomas M. Rees of the Twenty-sixth wished to expand his district north into the West Los Angeles area. This area was important to Rees because it contained wealthy, liberal Democrats and would be a source of campaign funds. A compromise was reached whereby Rees expanded his district into the Hollywood Hills (code 26A), into part of West Los Angeles and into southeast Santa Monica (code 26B). Marina del Rey was transferred to the Twenty-eighth (code 28B).

The Thirtieth District was not significantly altered; small areas were given to the Twenty-sixth (codes 26D and 26E). To make up for this loss, two other small areas were

the analysis of the 1967 reapportionment in Los Angeles County. Interviews were held in December of 1969 with Dr. Hardy at his home, with Mr. Bamberg at the offices of Datab, Inc.

taken from the Twentieth District (code 30B) and the Twenty-first District (code 30A). These alterations essentially made the boundaries of the Thirtieth more even without changing the population. (code 30B), making the Hollywood Freeway the

southwest. The Twenty-eighth District was still greatly over the acceptable district size. Consequently, the northwestern part of this district, including the Malibu area, was transferred to the Thirteenth District (code 13A), while the northeast part of the district was given to the Twenty-second, Twenty-seventh and Twentieth Districts (codes 22A, 27B and 20A). The rearrangement of the two San Fernando Valley districts was the major shuffle of the whole Los Angeles County reapportionment. The Democratic Twenty-second District of James Corman was moved from the west side of the San Fernando Valley to the east side. The west end of the San Fernando Valley was increasing in population and becoming more Republican (code 27C). At the same time, Ed Reinecke's Republican Twenty-seventh District contained an area adjacent to the east end of the old Twenty-second, which had too many Democrats for his liking (code 22B). These two areas were traded to form safer districts for each congressman. A section of the southern end of the old Twenty-second was given to the Twenty-eighth (code 28A) and the Twenty-seventh was brought around the southern end of the new Twenty-second to pick up a highly Republican area of the Twenty-eighth (code 57B). The newly developed Rancho La Brea area into the

Twenty-fifth (code 35B).

The Twentieth District was another district that was altered very little. A section of the Twenty-eighth was gained (code 20B) and another section was lost to the Thirtieth (code 30B), making the Hollywood Freeway the southwest boundary of the Twentieth. Also, the section of the Twenty-fourth District comprised of part of the city of Glendale was added to the Twentieth, giving all that city to the latter district (code 20D).

The Twenty-fourth District received excess population from San Bernardino County-(code 24D), and traded the eastern part of West Covina (code 24C). This trade put Glendora and West Covina both in only one congressional district.

The Twenty-ninth District traded part of Temple City (code 25A) for part of Rosemead (code 29C) and all of South El Monte (code 29B) with the Twenty-fifth to gain needed population.

The Nineteenth District had been mis-shapen by a section of the Twenty-fifth which extended down into the Whittier area (code 19A). This irregular boundary had been drawn in 1961 to allow then Assemblyman Cameron to run for Congress in the Twenty-fifth District in 1962. When, after two terms, he was defeated by Charles E. Wiggins in 1966, it was no longer necessary to have this area, called the "Cameron Arrow," in the Twenty-fifth District. Accordingly, the proper adjustment was made to bring this area back into the Nineteenth and to transfer the newly developed Rancho La Habra back into the Twenty-fifth (code 25D).

The Thirty-fourth District was a big problem for the Democrats. Congressman Hanna was in danger of being defeated, as Orange County was a very Republican area.

In order to save Hanna, a section of the Thirty-second consisting of east Lakewood and northeast Long Beach was added to his district (code 32A). The northeastern part of Hanna's district was transferred to the Twenty-fifth (code 25E) and sections of the southeast end of his district (parts of Santa Ana and Huntington Beach) were transferred to the Thirty-fifth (code 35A). The remainder of Huntington Beach and all of Seal Beach was given to the Thirty-second District. This shuffle may have been responsible for Hanna's re-election in 1968. The only other transfer of any significance was the extension of the Twenty-fifth down into Orange County, taking in the northern end of the Thirty-fifth District (code 25F).

The census of 1970 brought to Los Angeles County much of the same traditional problems prevalent in previous reapportionments. Once again the Democratic Congressional Delegation's seats were surrounded by Republican seats and their districts were well under the ideal population. The solution would have been rather simple, however, if it had not been for the ambitions of the Blacks for another seat and the desire of Assemblyman Waxman, Chairman of the Assembly Committee on Reapportionment to go to Congress. There was also the desire on the part of Congressman Burton, who controlled the delegation's reapportionment efforts, to create a new seat for

FIGURE 20
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN ANDERSON

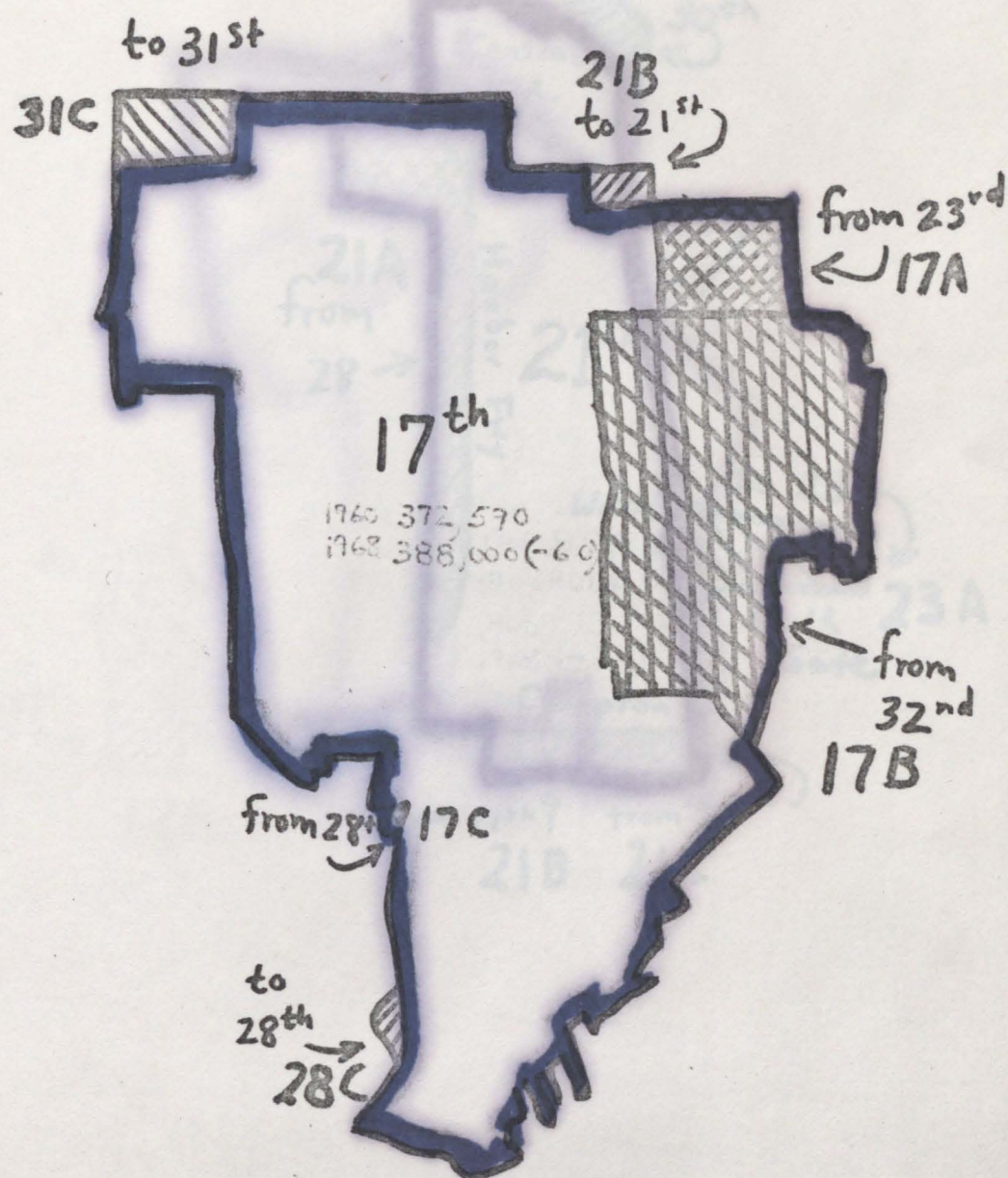


FIGURE 21
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN HAWKINS

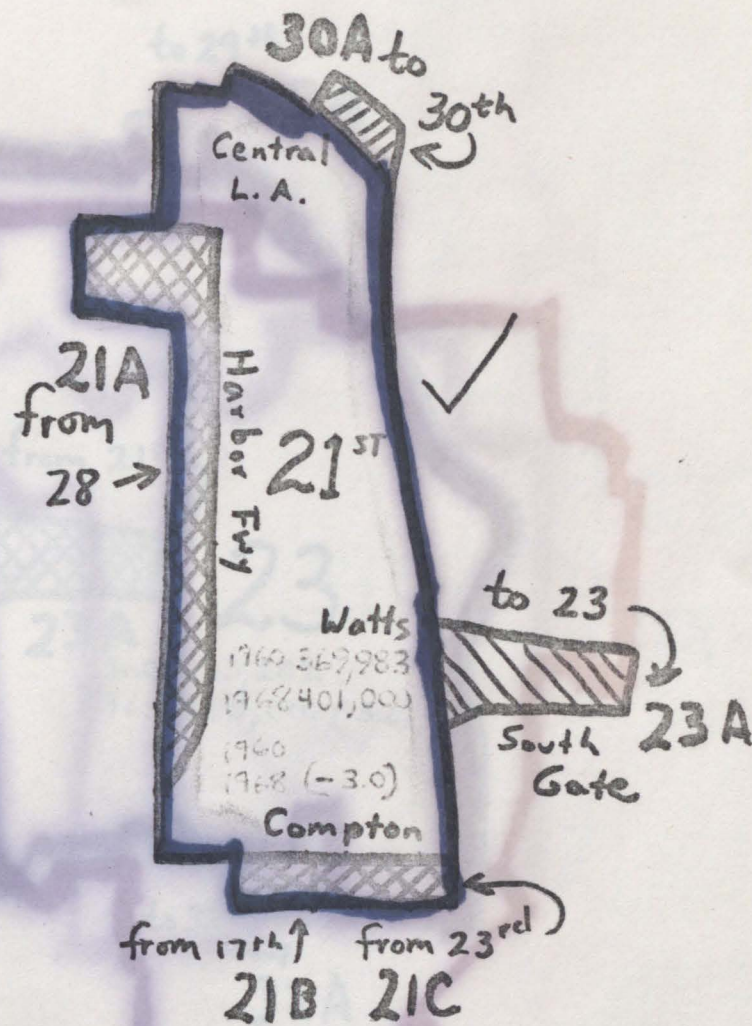


FIGURE 22
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN CLAWSON

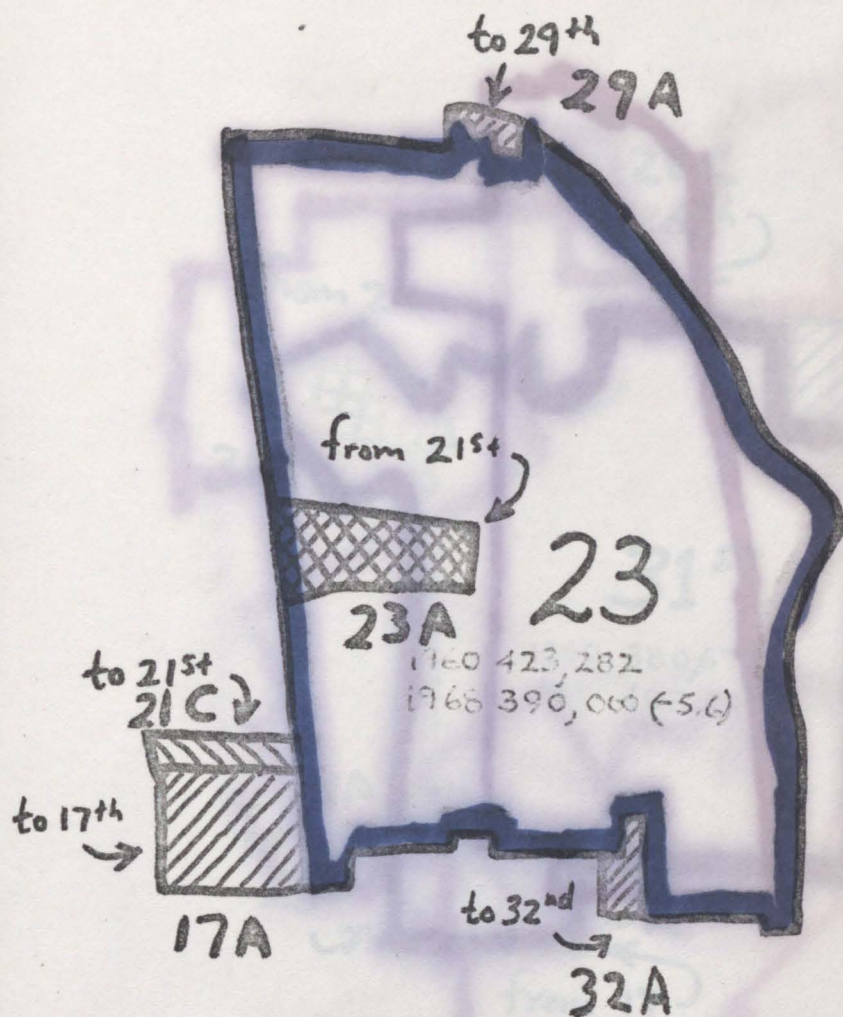


FIGURE 23
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN WILSON

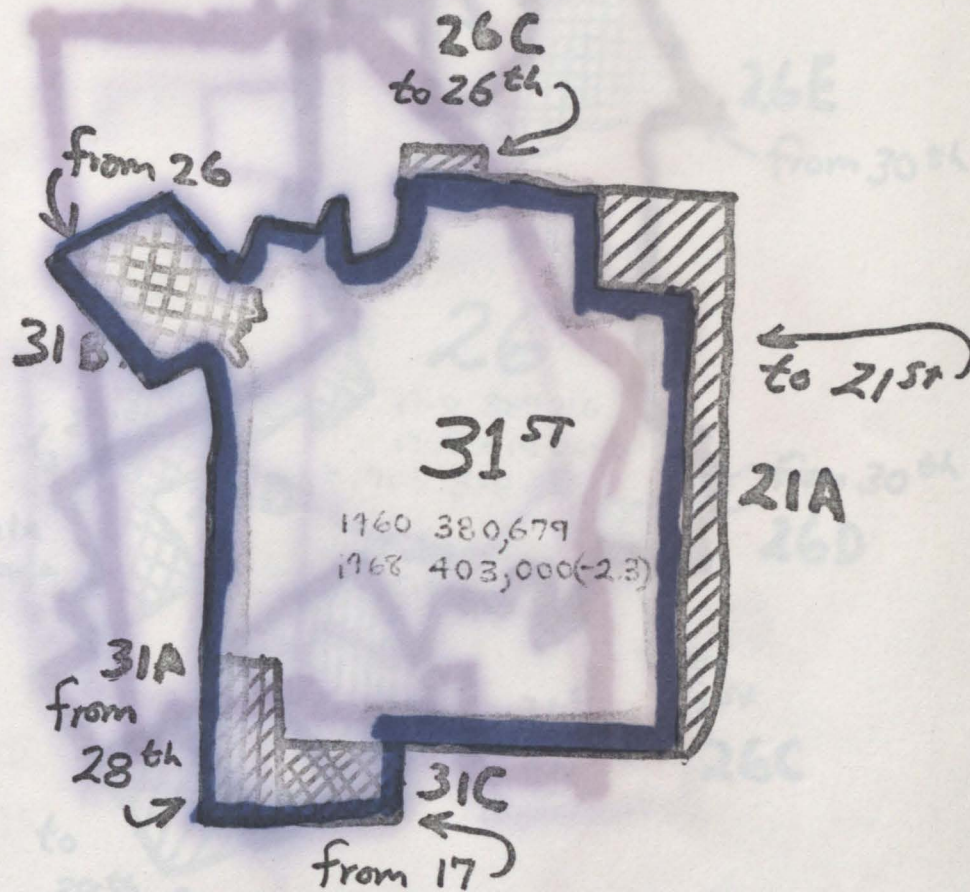


FIGURE 24
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN REES

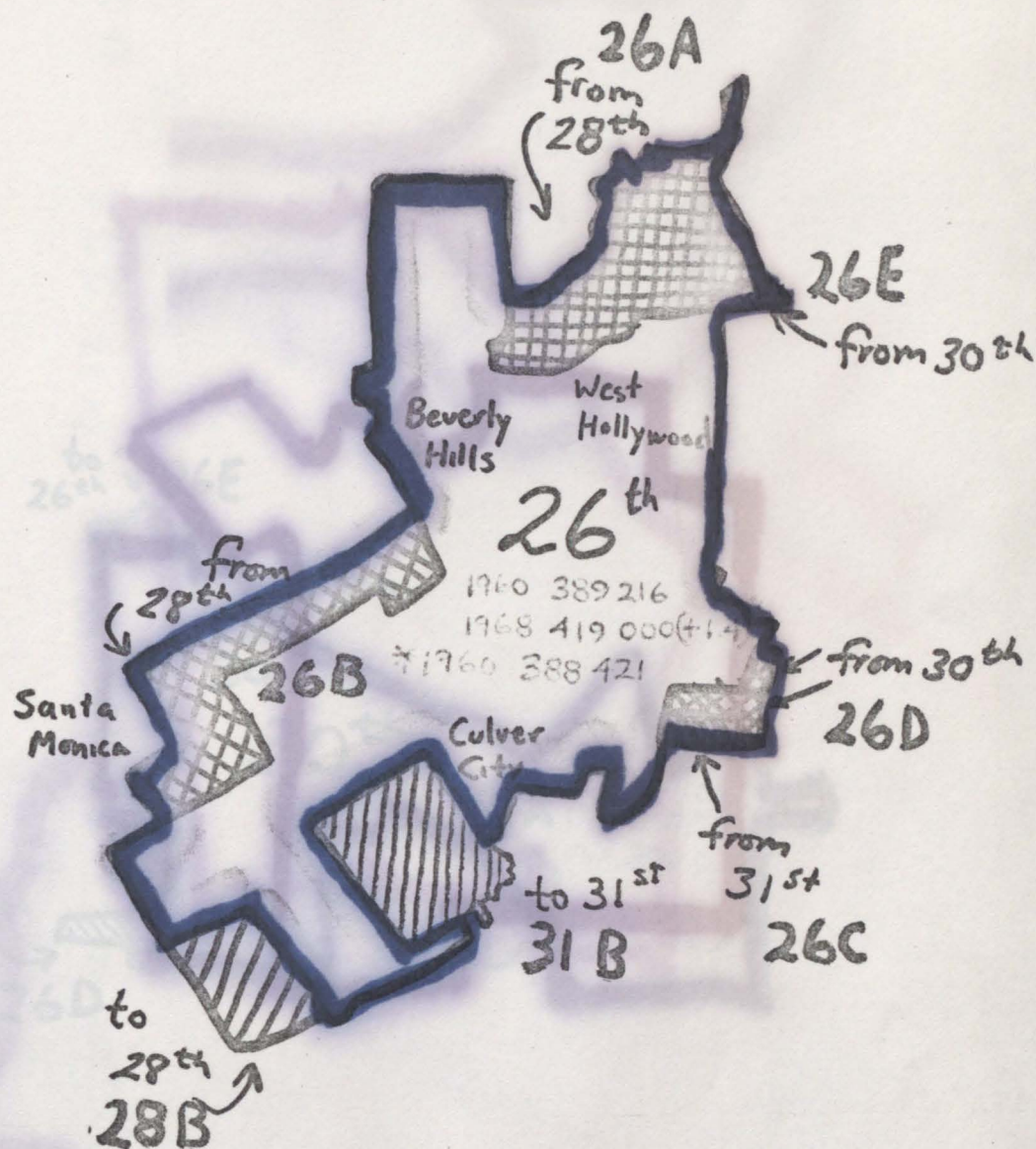
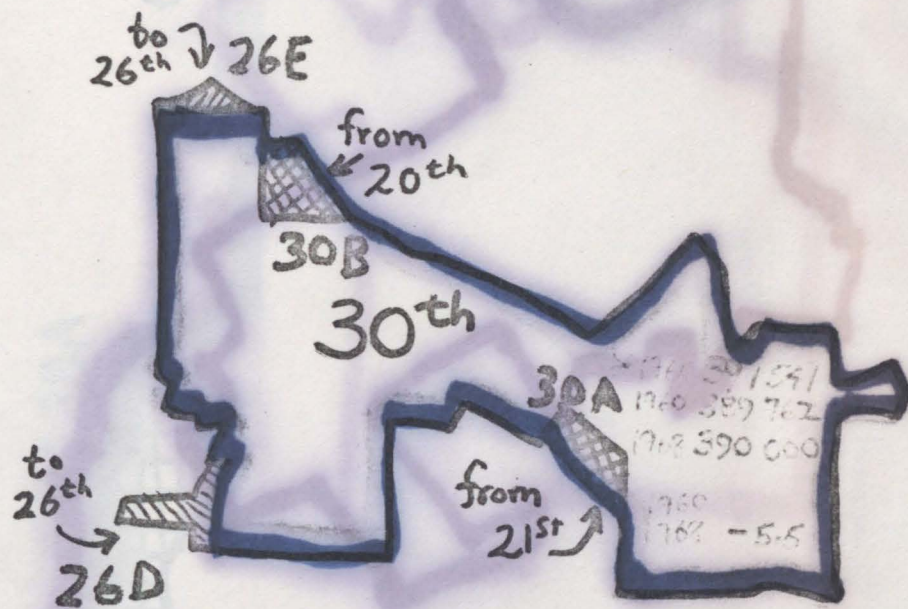
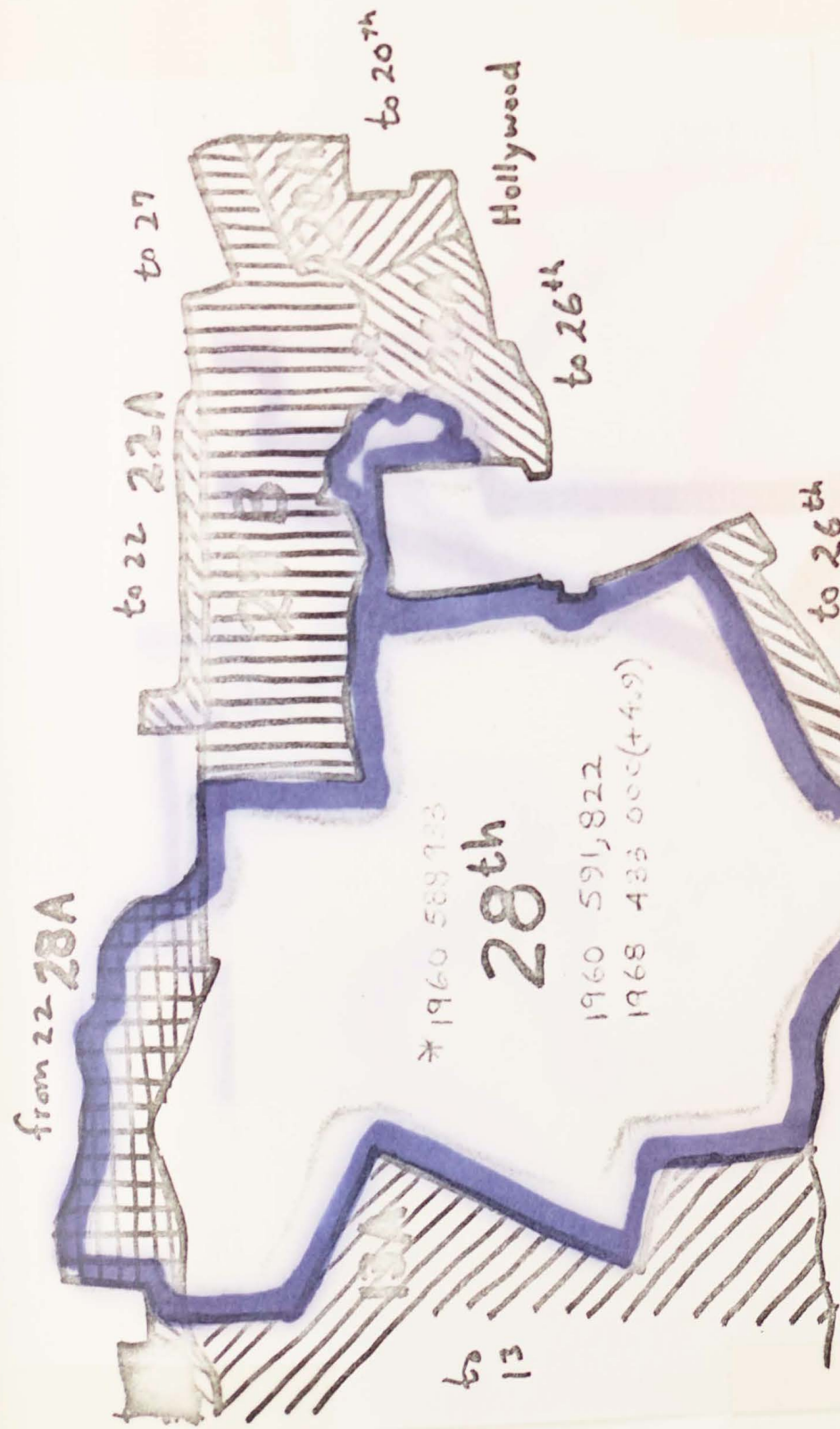


FIGURE 25
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN ROYBAL





* 1960 588 723

28th

1960 591,822

1968 433 000 (+4.9)

to 26th

Santa Monica

from 26th

from 26th

Marina

Del Rey

20B

to 31st

31A

El Segundo

28th

28C

from 17th

San Ped

FIGURE 26
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN BELL

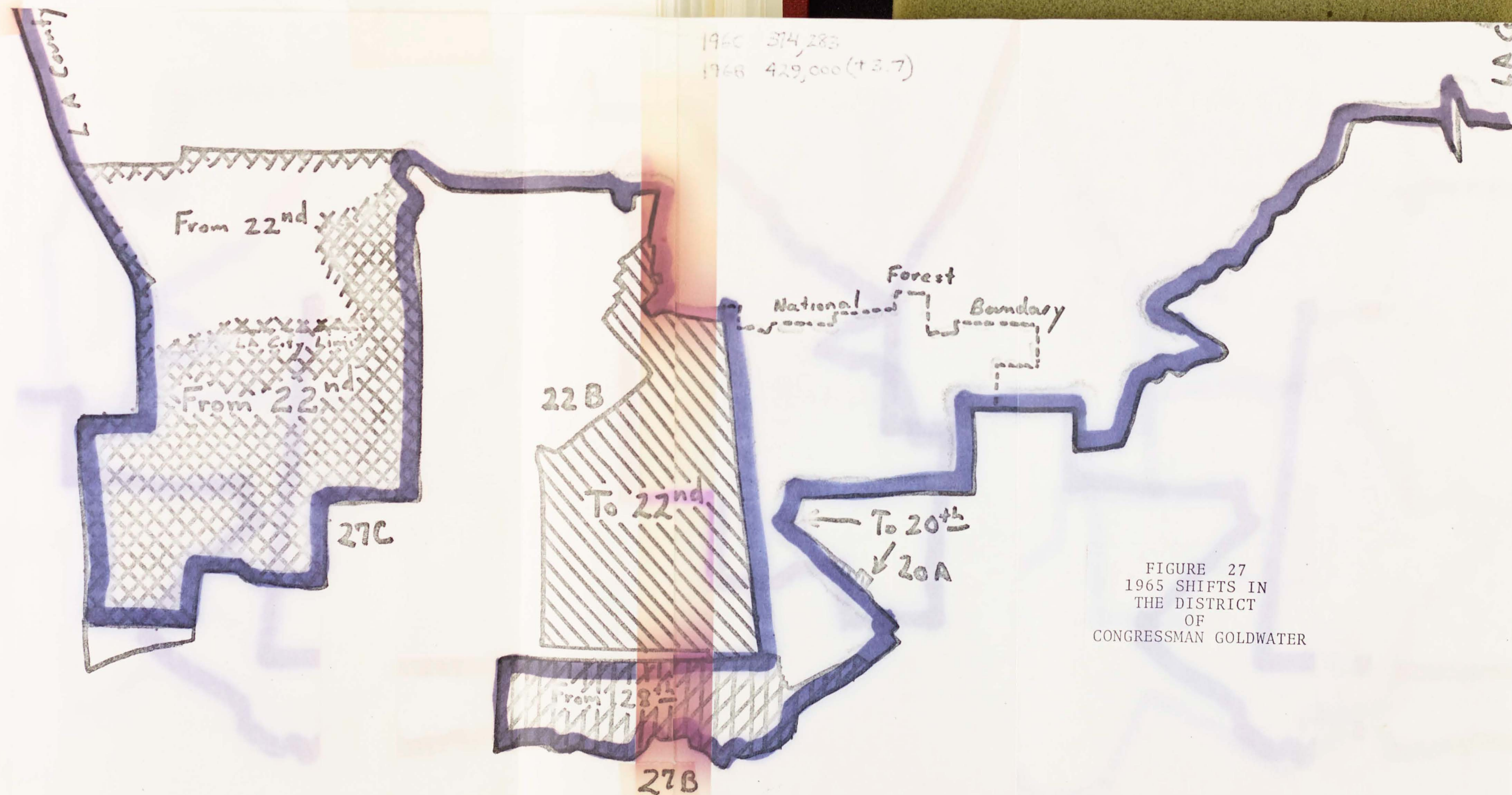


FIGURE 27
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN GOLDWATER

FIGURE 28
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN CORMAN

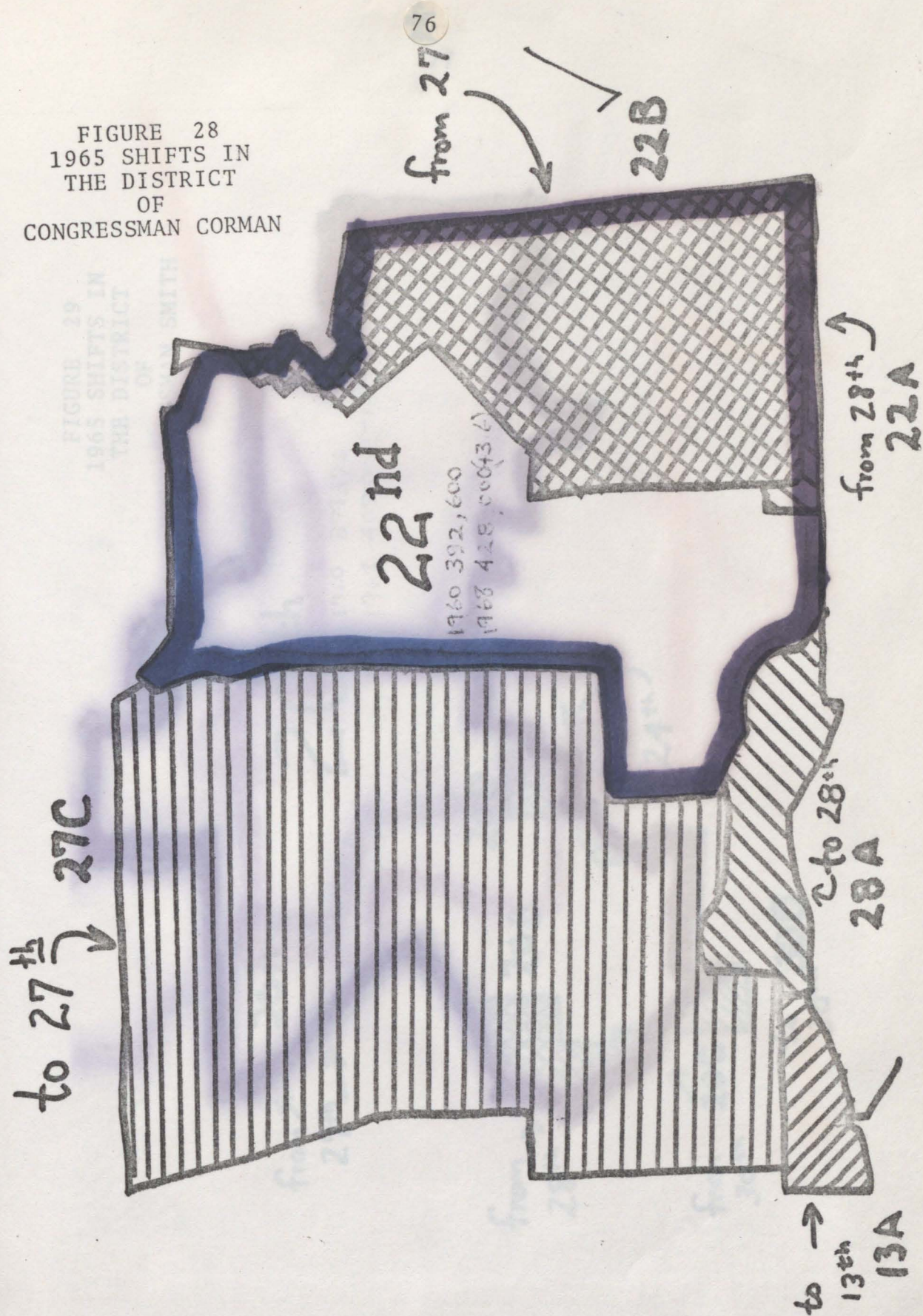
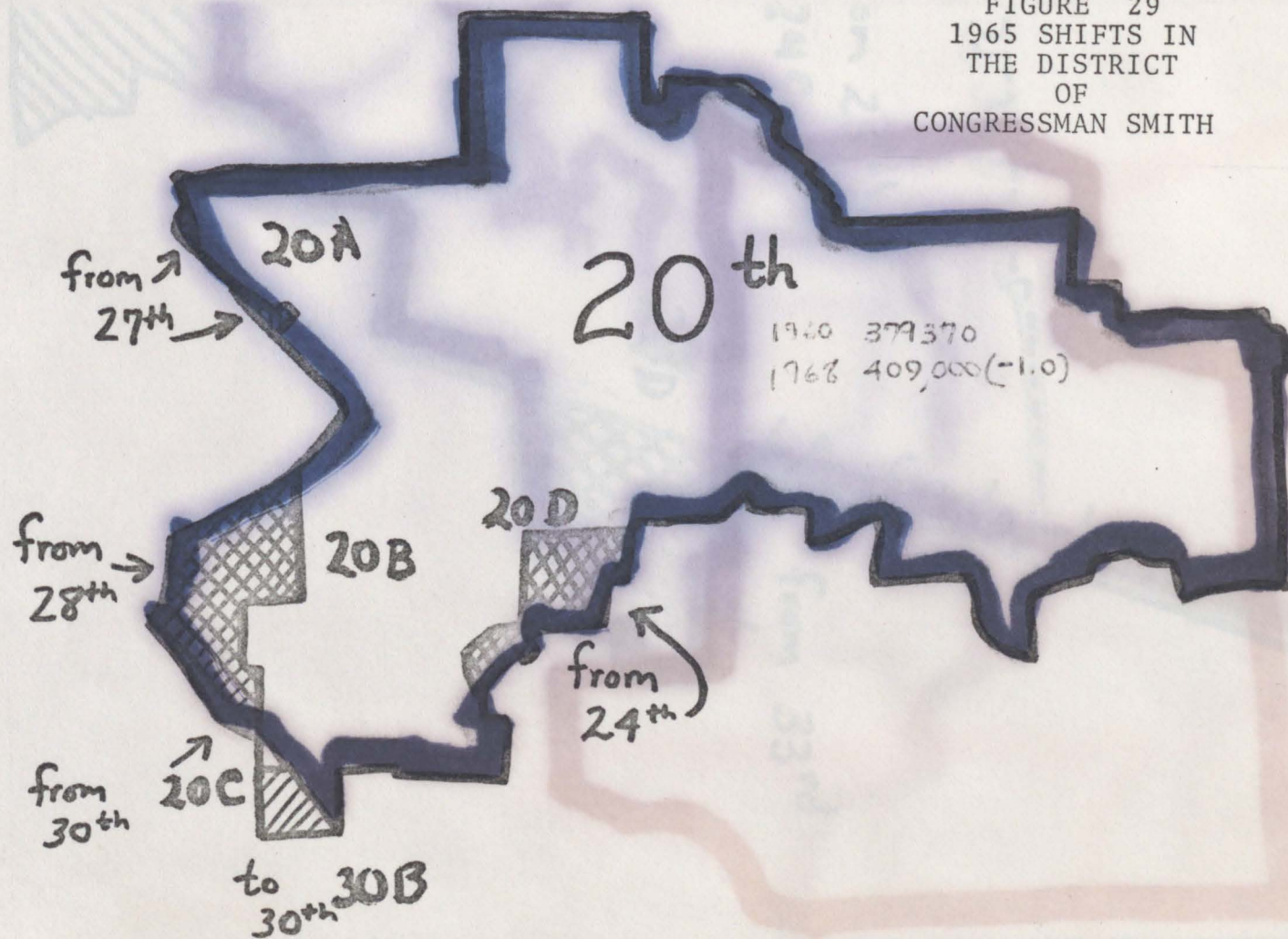


FIGURE 29
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN SMITH



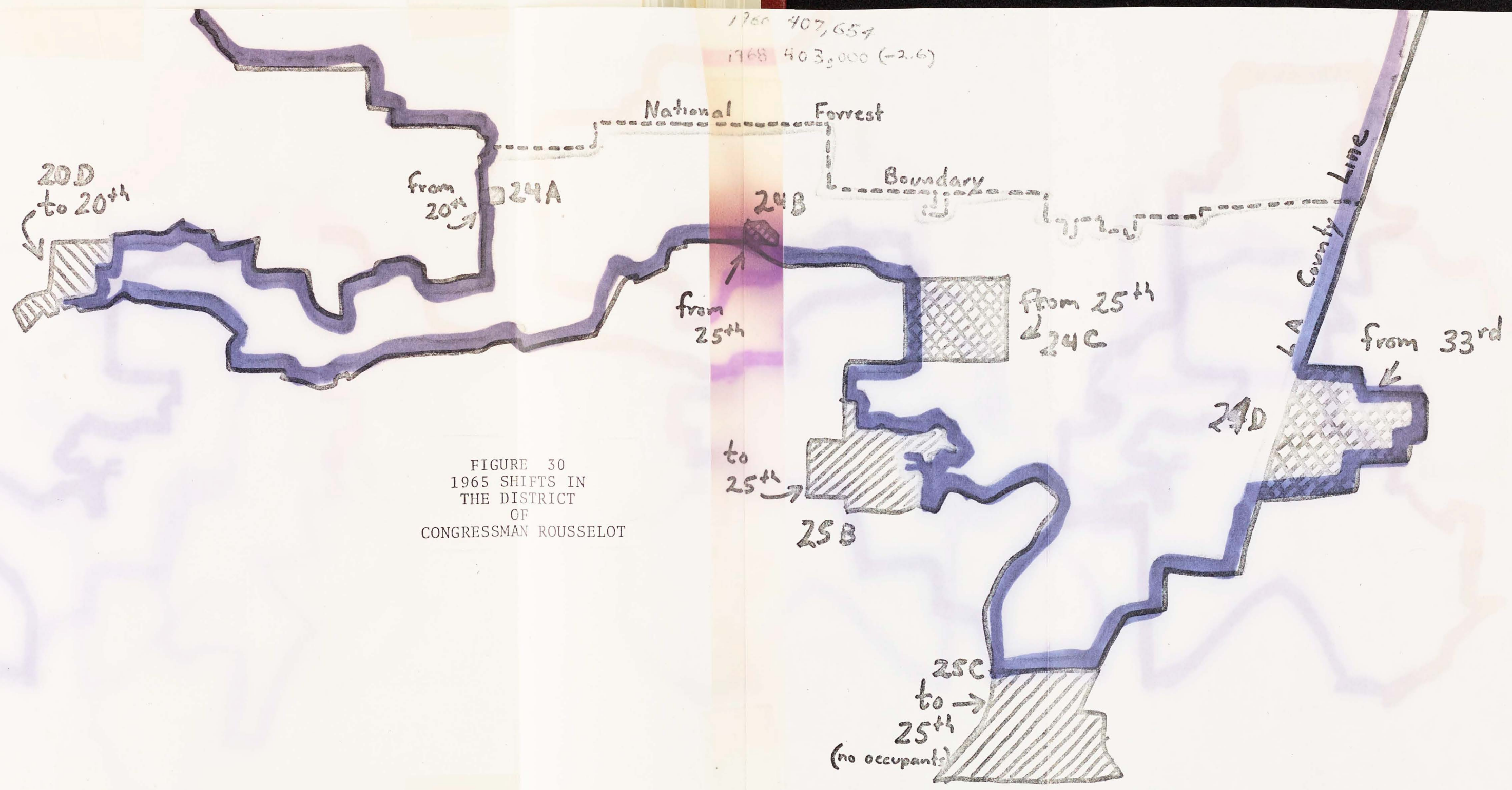


FIGURE 30
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN ROUSSELOT

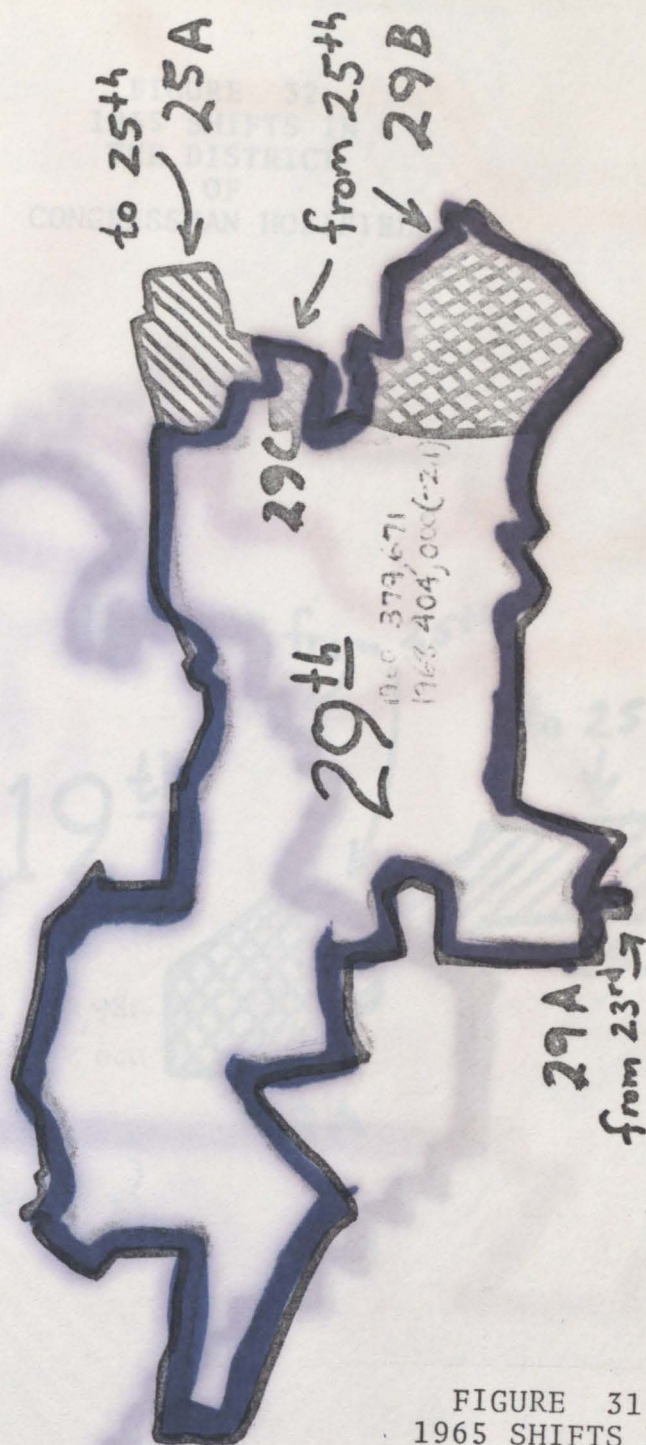


FIGURE 31
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN DANIELSON

FIGURE 31
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN HARRIS

FIGURE 32
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN HOLIFIELD

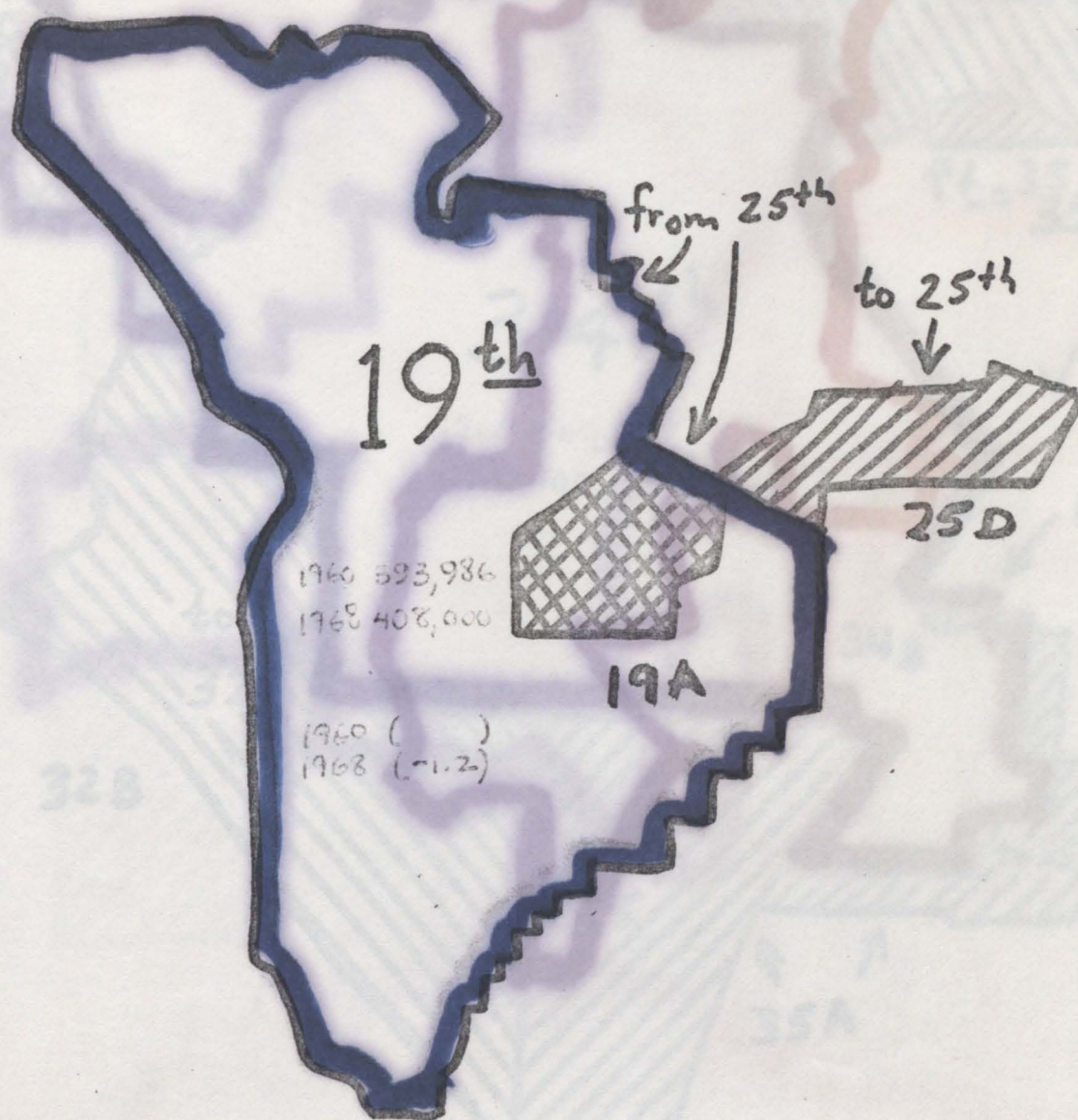
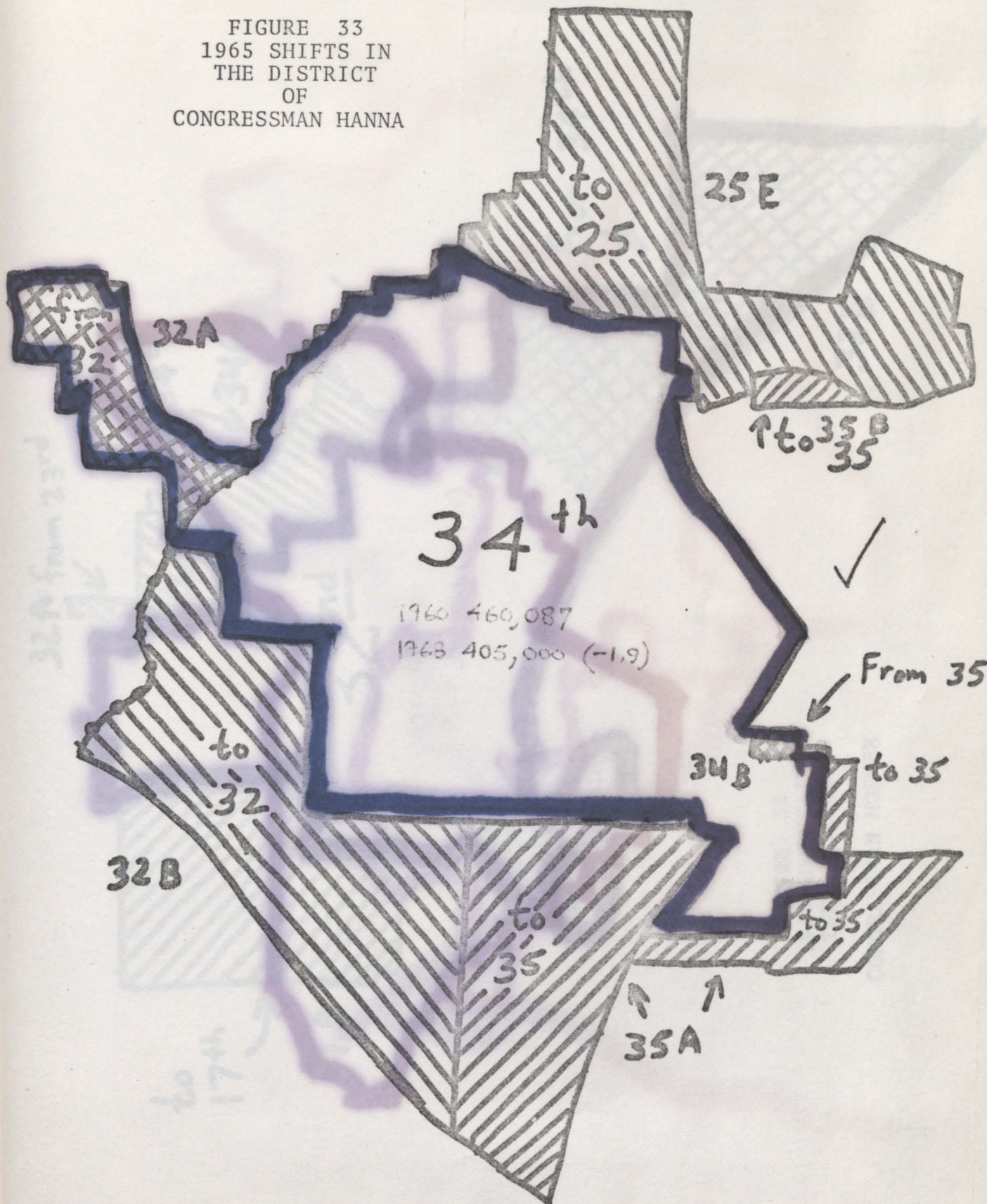


FIGURE 33
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN HANNA



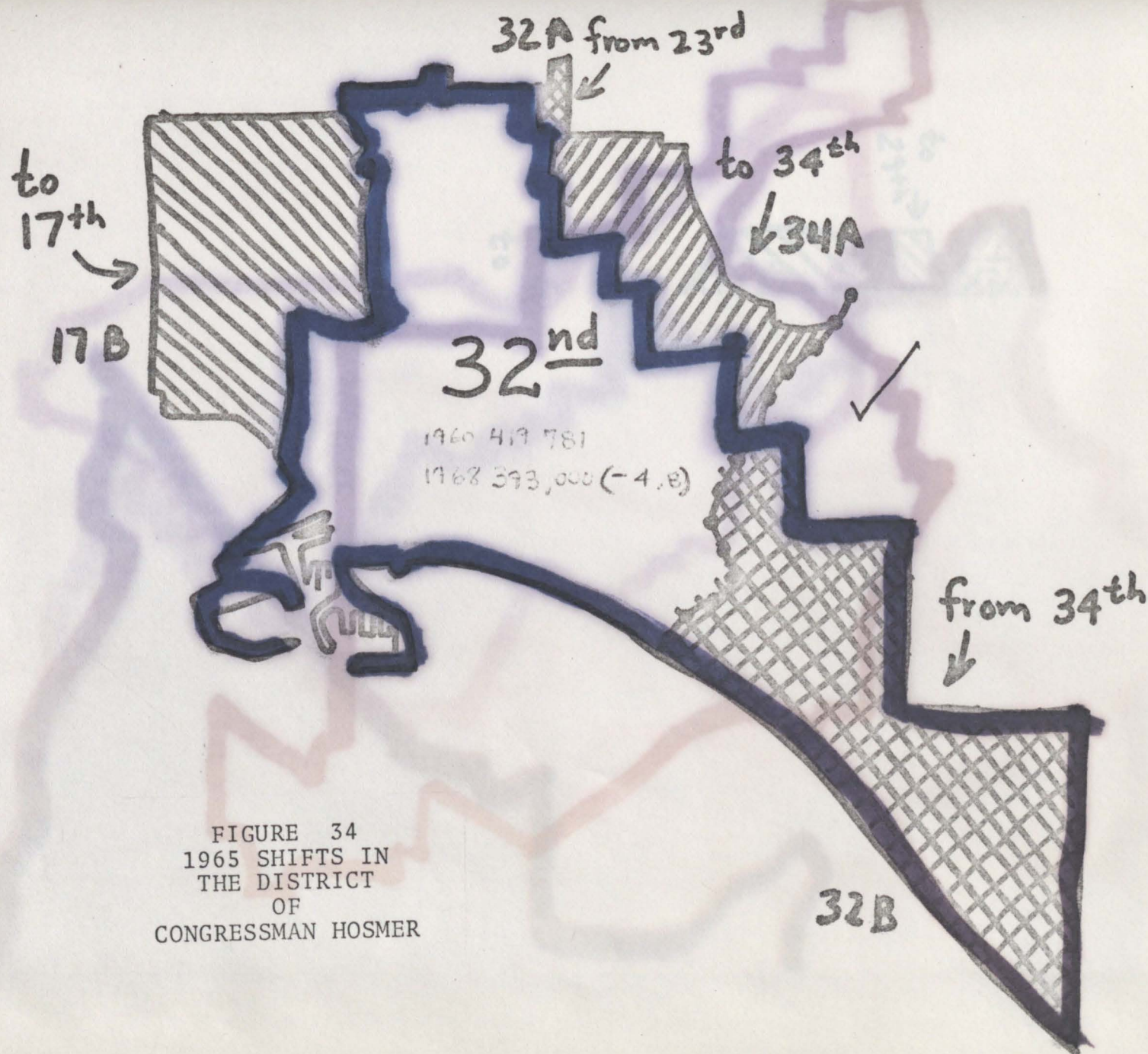


FIGURE 34
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN HOSMER

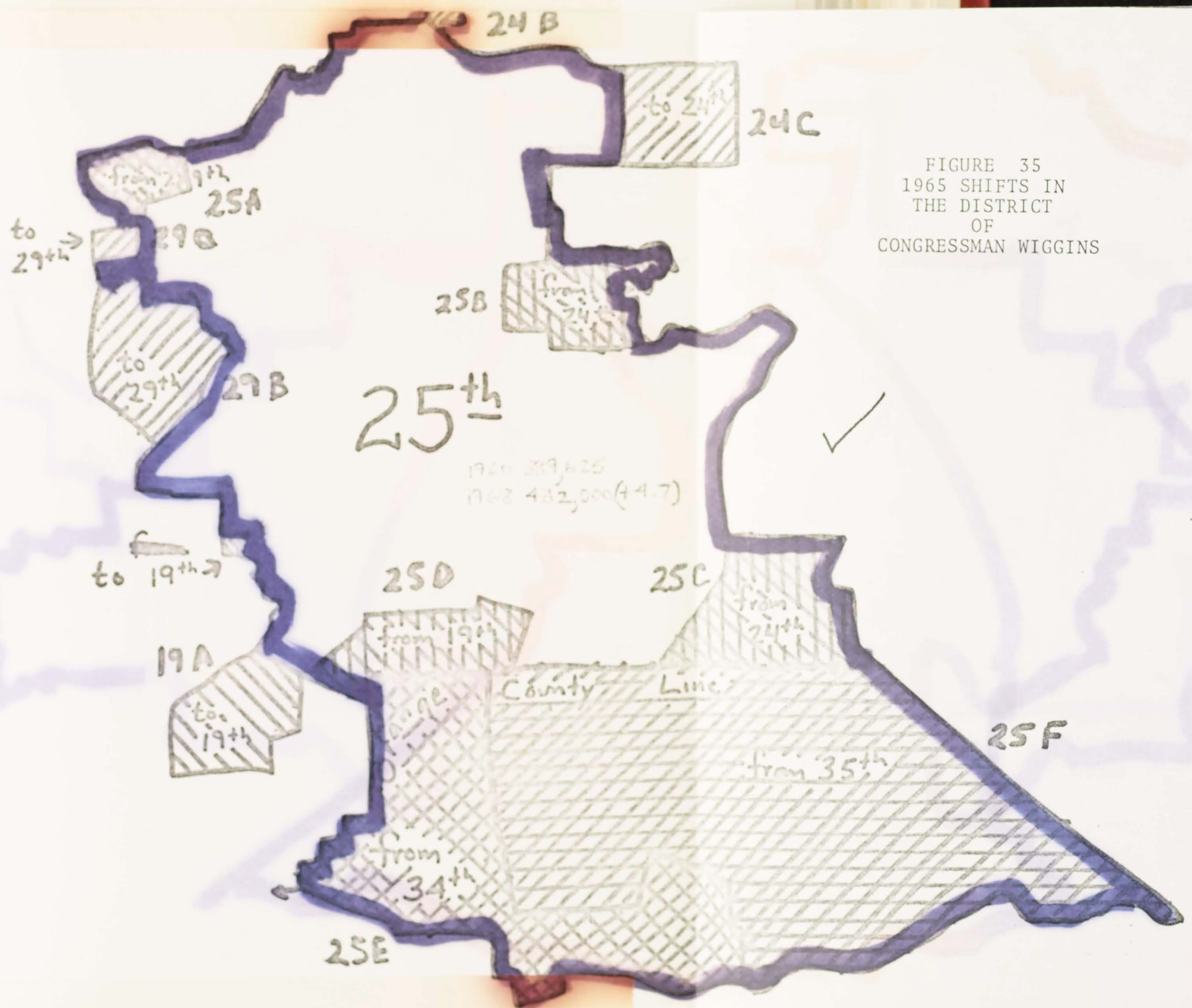


FIGURE 35
1965 SHIFTS IN
THE DISTRICT
OF
CONGRESSMAN WIGGINS

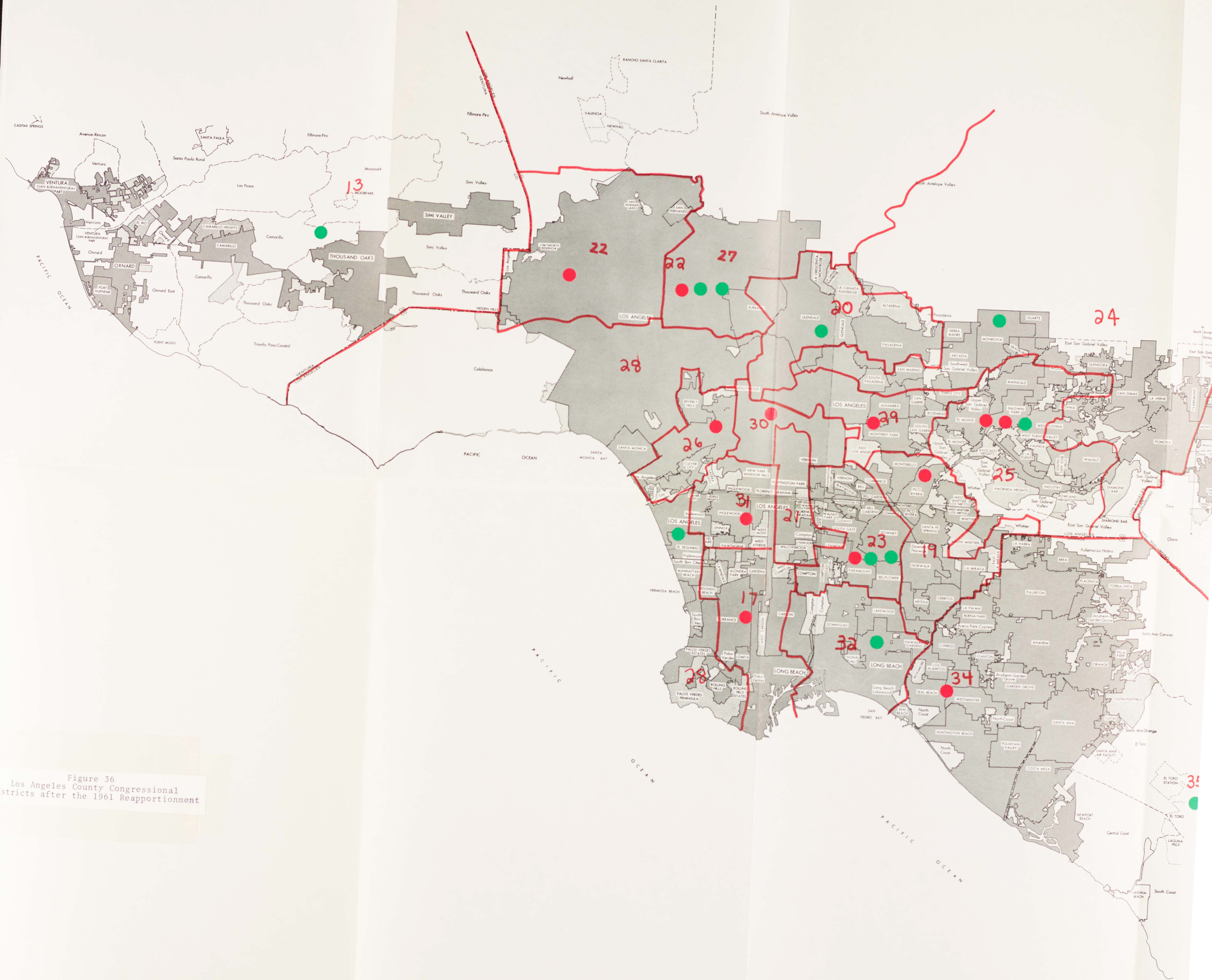
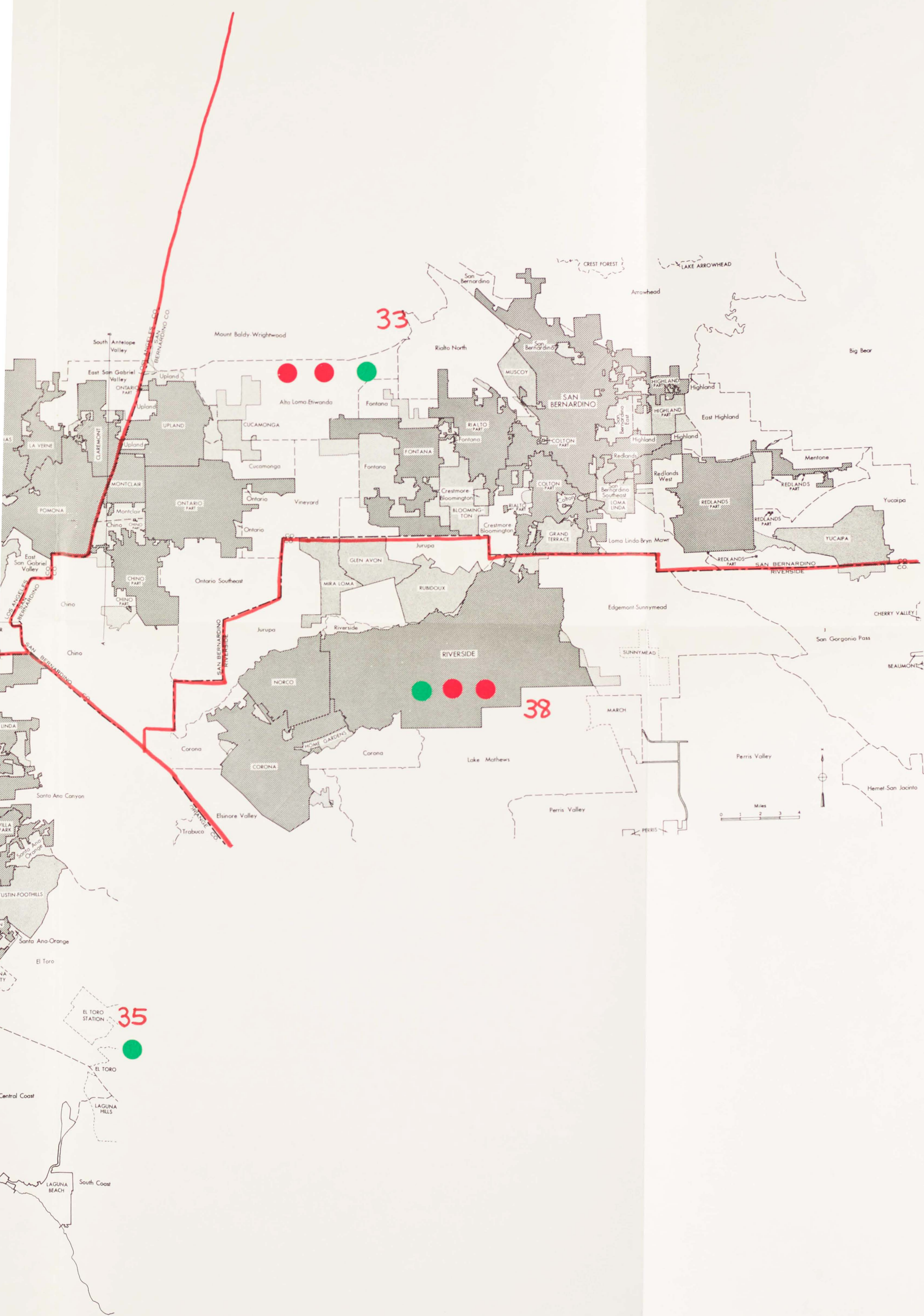


Figure 36
Los Angeles County Congressional
Districts after the 1961 Reapportionment



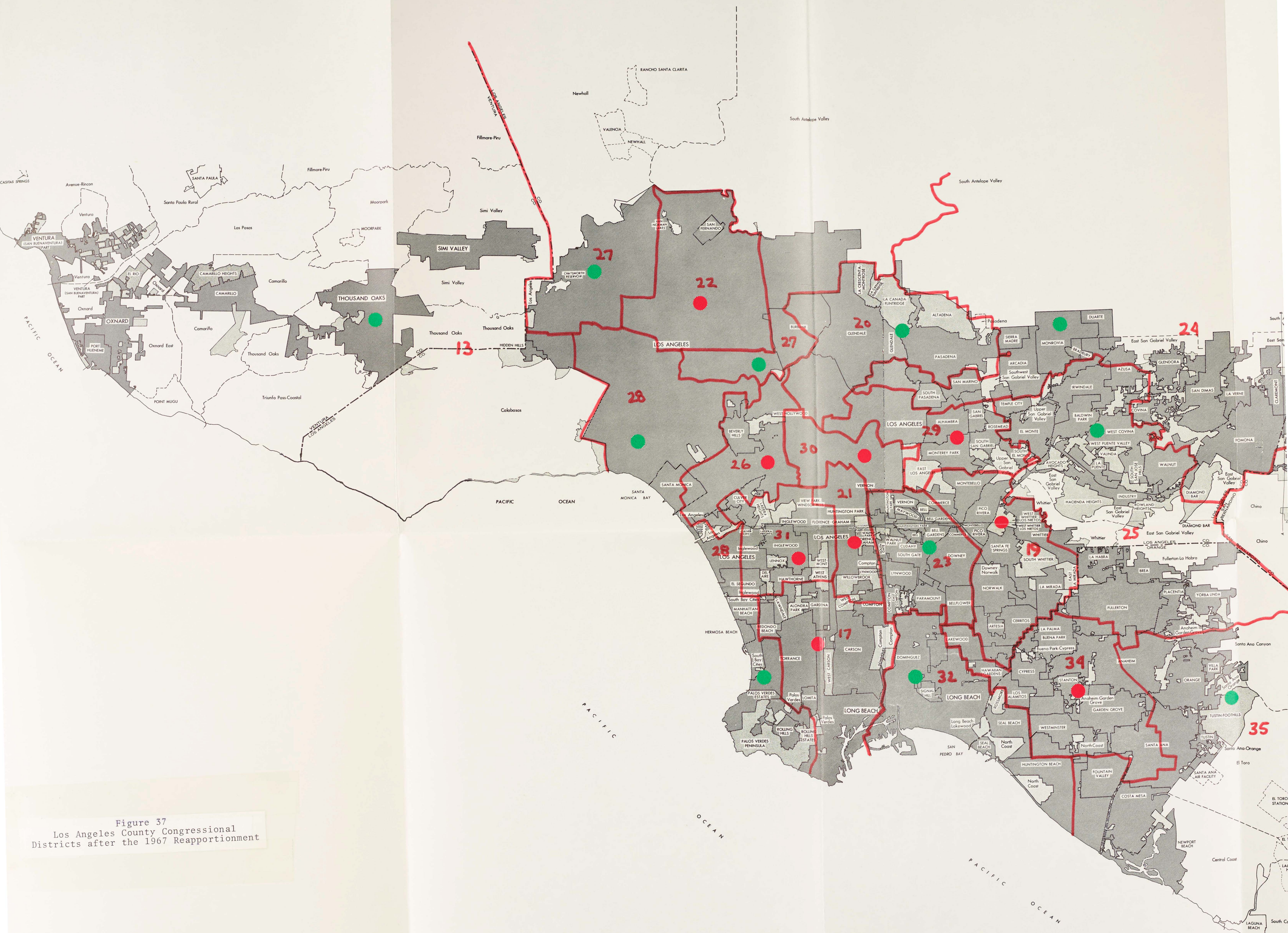
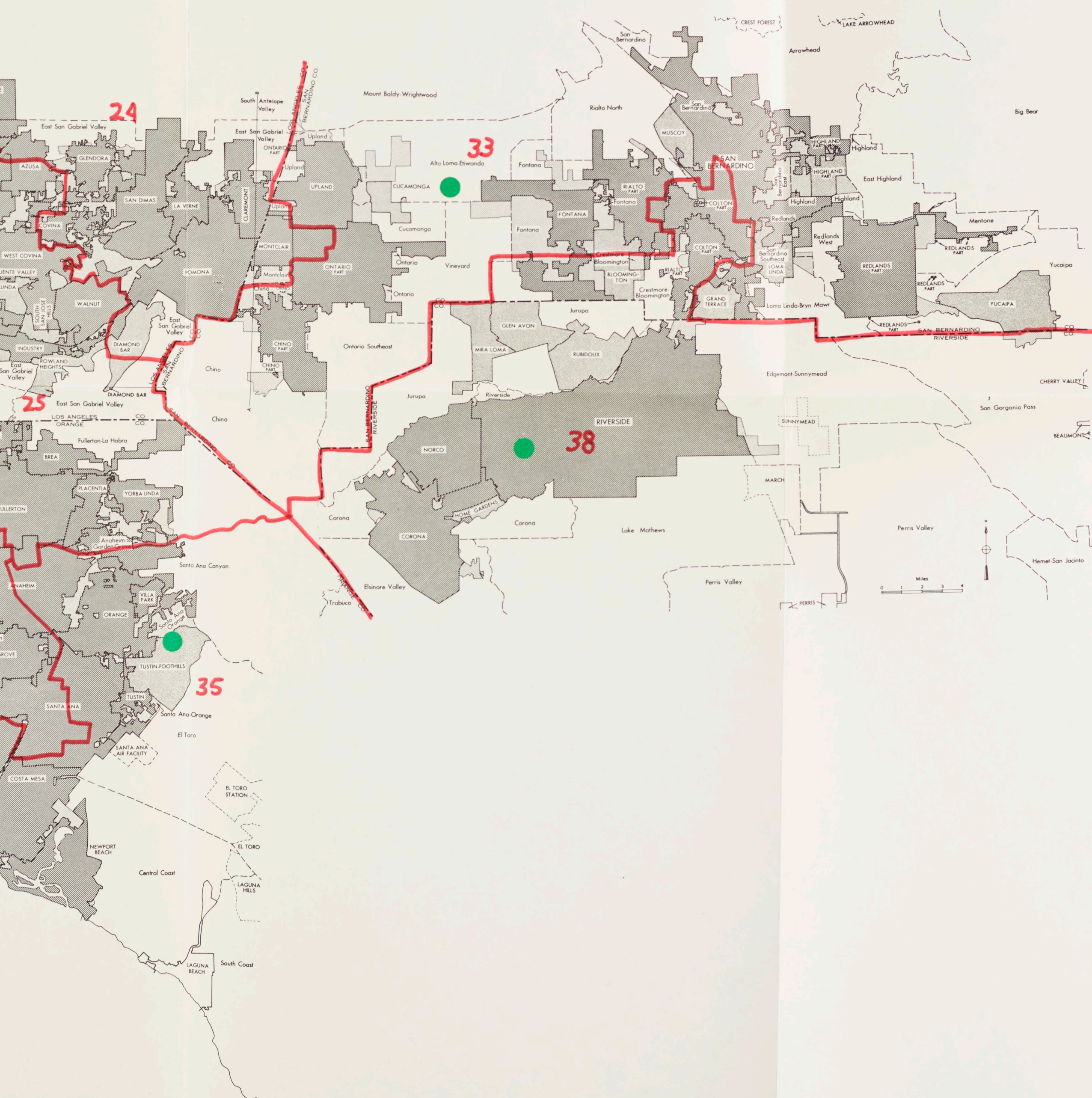


Figure 37
Los Angeles County Congressional
Districts after the 1967 Reapportionment



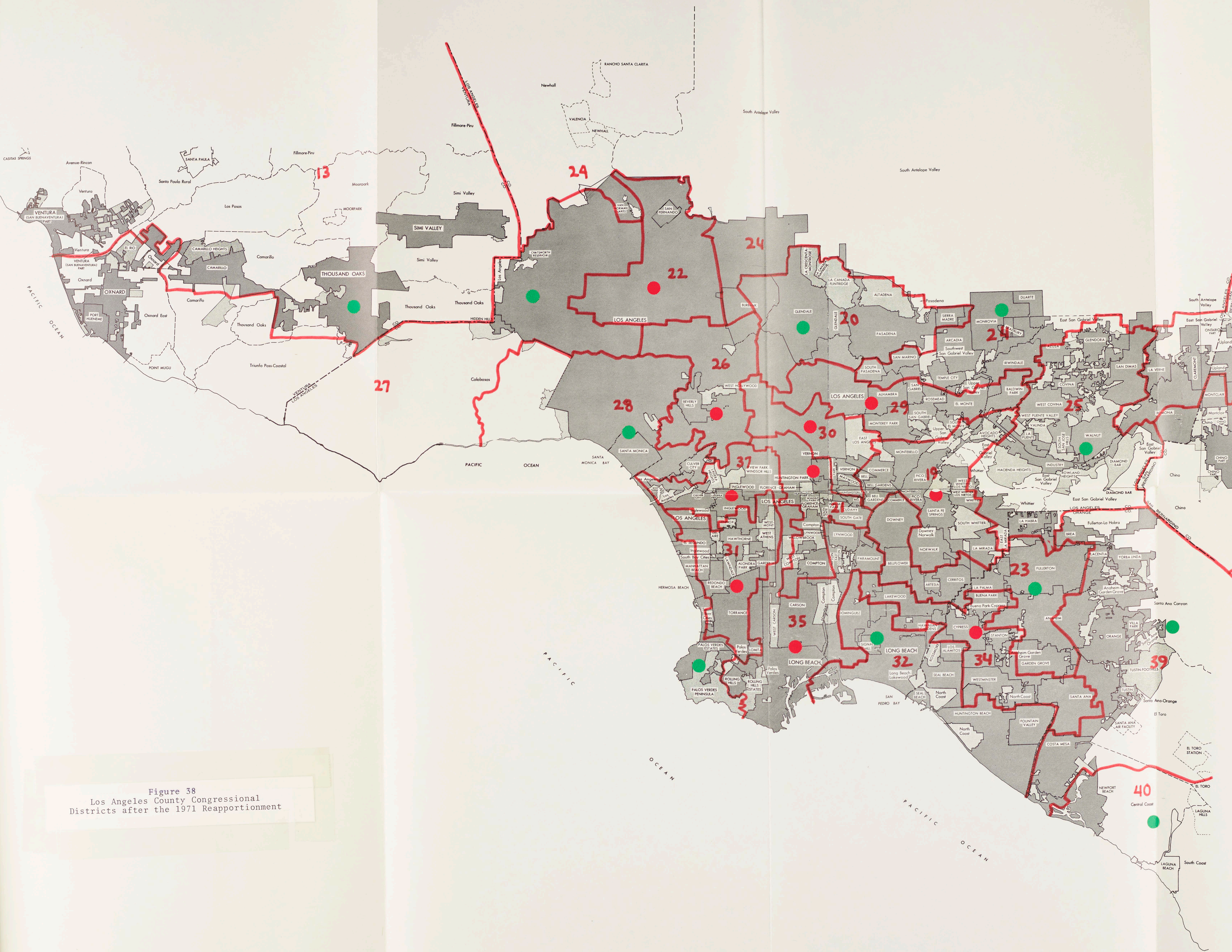
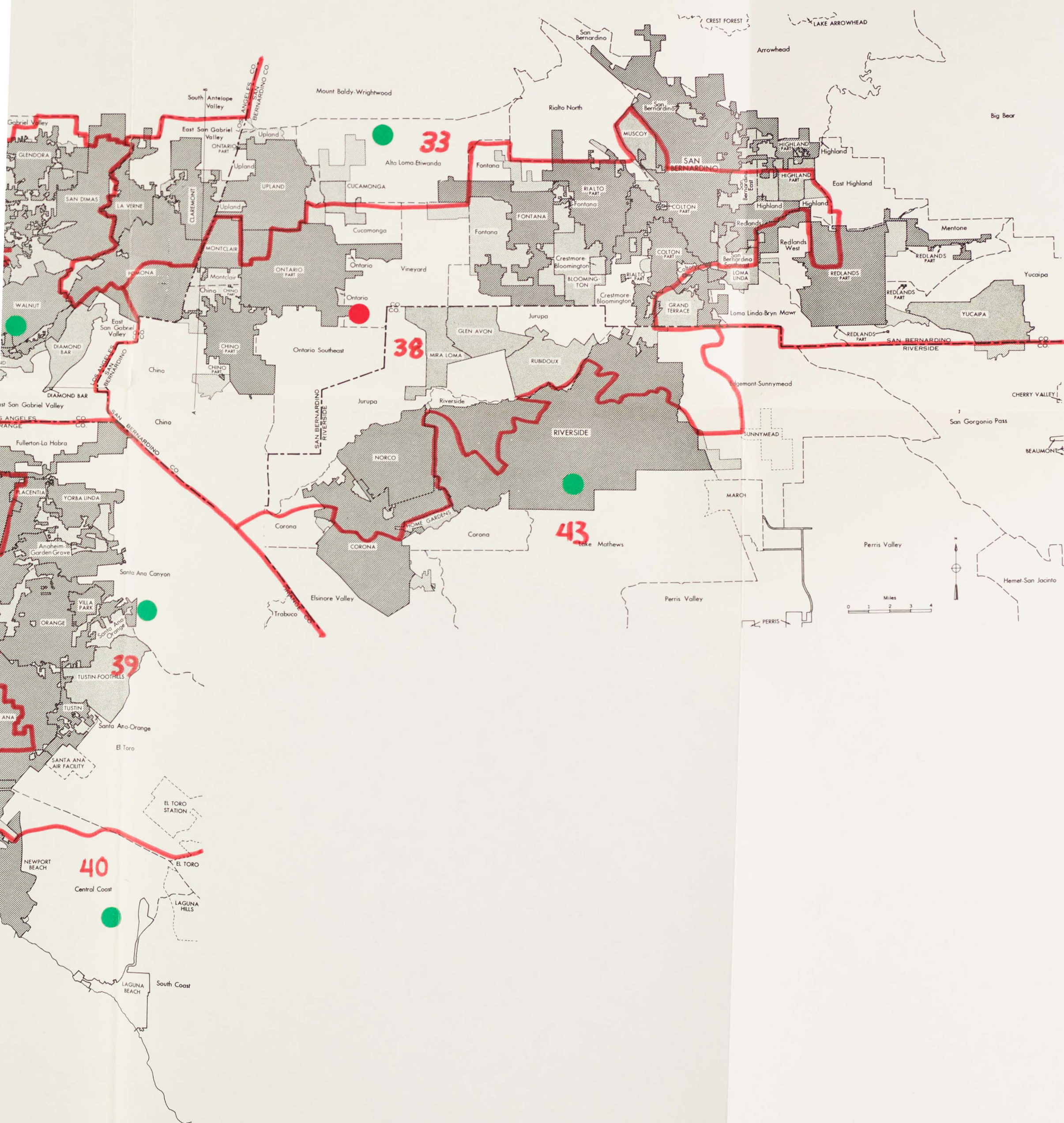


Figure 38
Los Angeles County Congressional
Districts after the 1971 Reapportionment



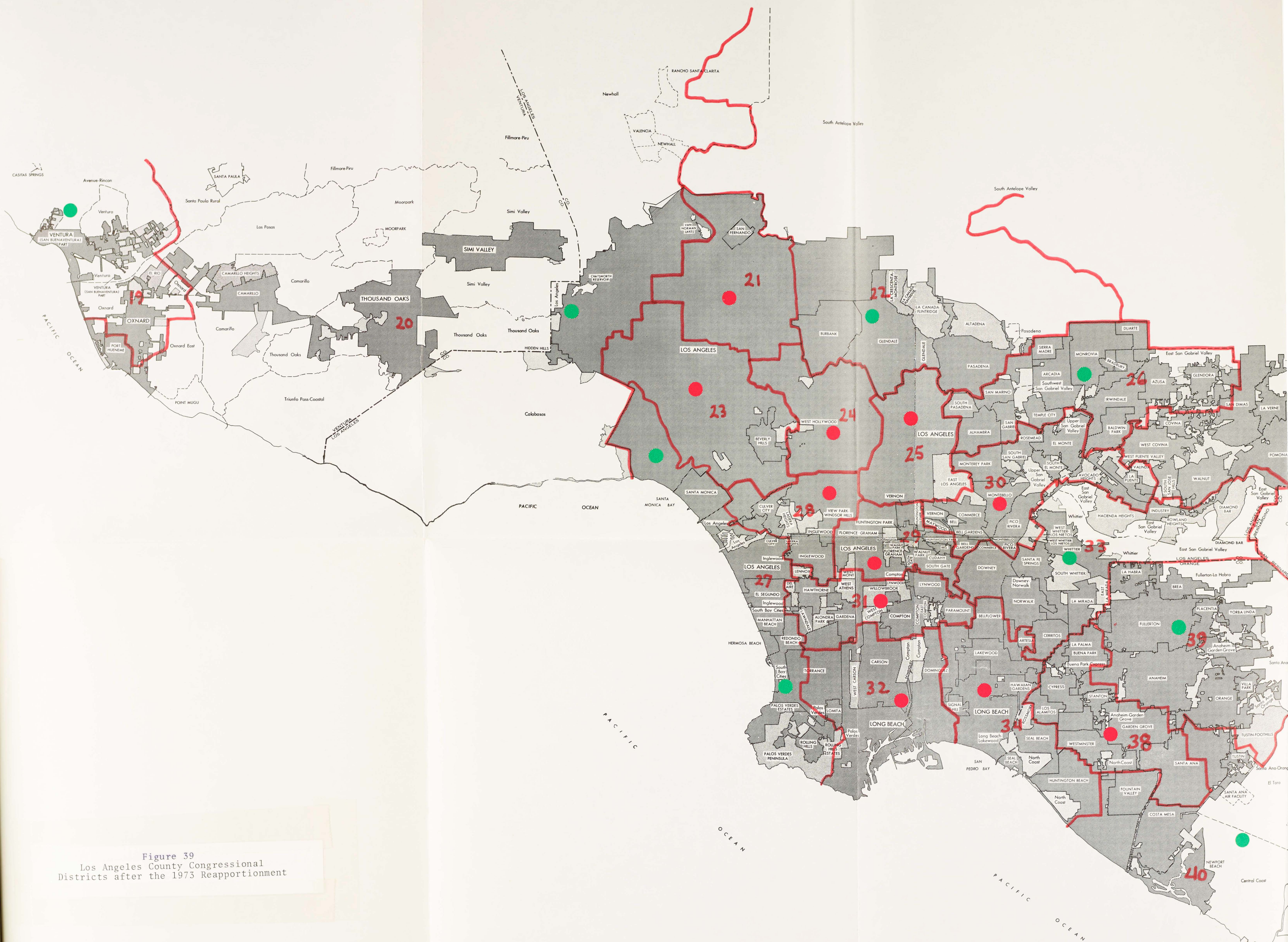


Figure 39
Los Angeles County Congressional
Districts after the 1973 Reapportionment

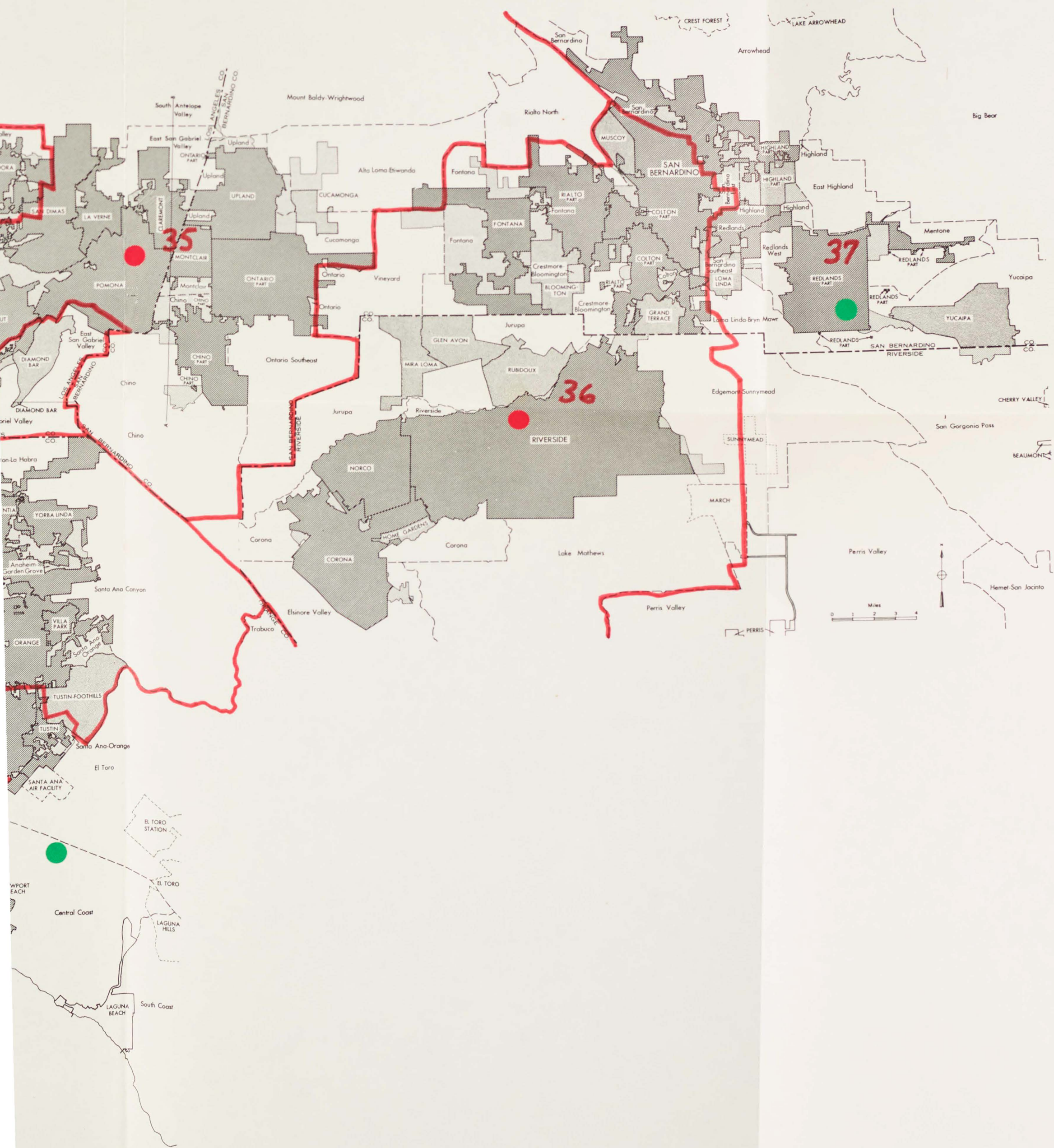




Figure 40
 Los Angeles County Congressional Districts
 Territory Shifted Between 1962 and 1968 (RED)
 Territory not Shifted Between 1962 and 1974 (GREEN)



ex-Congressman Brown out in the Pomona Valley. It was impossible for all three new seats to be created without one incumbent losing his seat so Waxman lost his opportunity. He was, however, given a new seat later-- by the Masters' Plan. It was the creation of this new seat which sent many congressmans' district boundaries far out into the suburbs. Even though the State Supreme Court did not accept the Democratic Legislative Plan as a permanent solution, their temporary acceptance of that plan for the 1972 Elections brought the election of one new central city Democrat to the delegation, along with the election of Brown. It is clear that the staff of the Special Masters did not disagree with the result of the temporary solution-- even though they did draw a new plan. It was, in the end, the retirement of Congressman Holifield which allowed a solution to Waxman's ambitions without an extensive gerrymander. The reader is directed to figures 38, 39, 40 and 41 for maps of the 1970, 1972, and 1974 districts along with the map of areas which had no change in congressman through all three elections. There are also maps for the discussions of district changes below which are on figures 42 through 56.

There were five incumbents who were left with substantial portions of their 1970 districts within their 1974 districts. These five incumbents were Rousselot, Bell and Smith (who was replaced by Moorhead) who had little territory in their old districts which any Democrats desired, and Corman

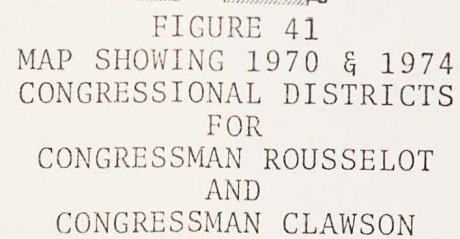


FIGURE 42
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN BELL



FIGURE 43
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN MOORHEAD

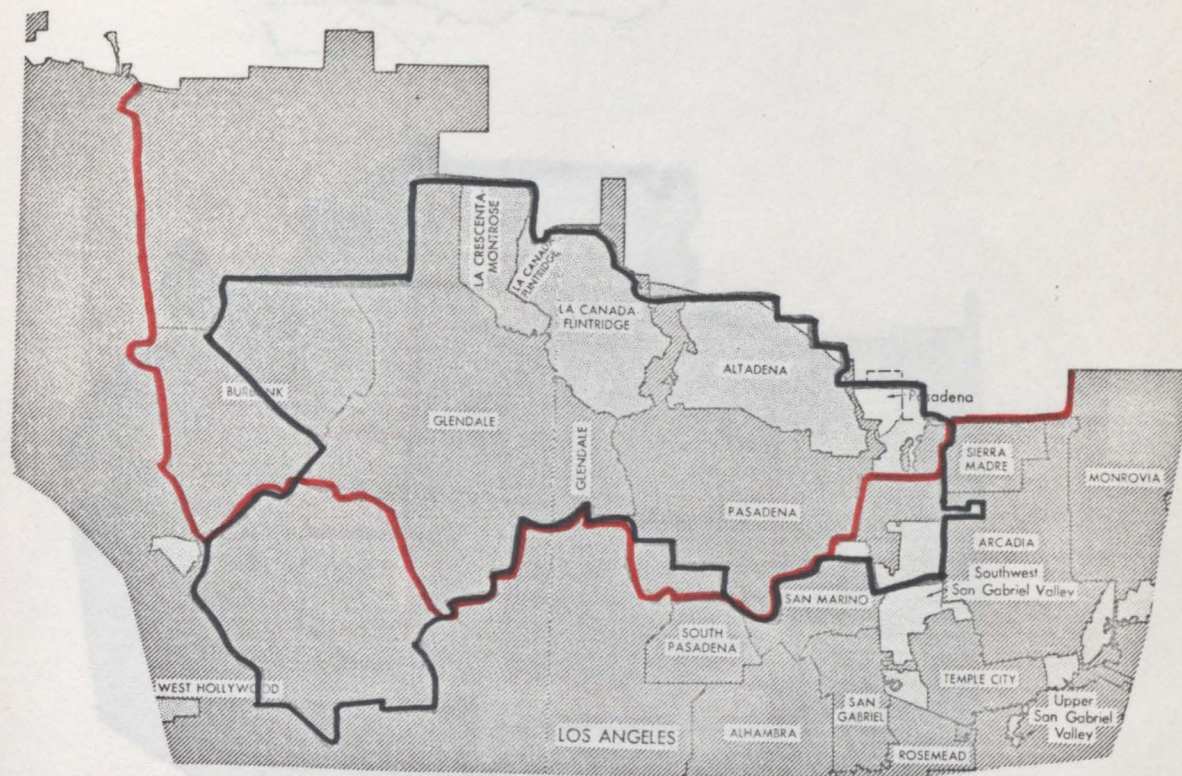


FIGURE 44
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN CORMAN

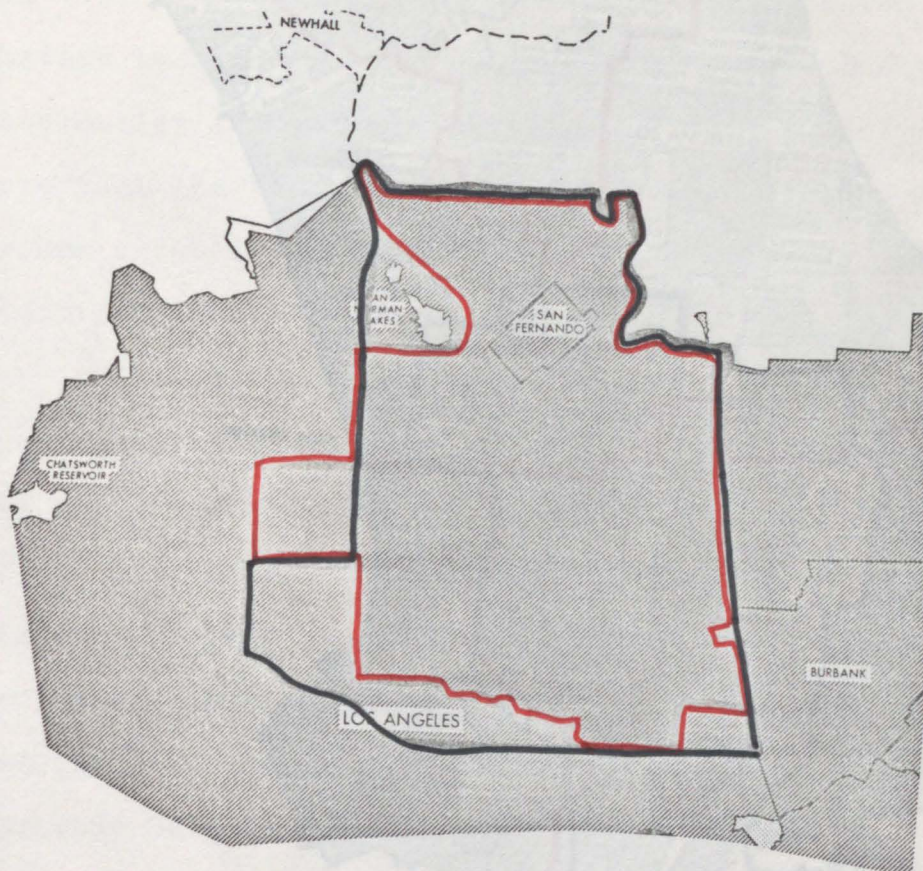
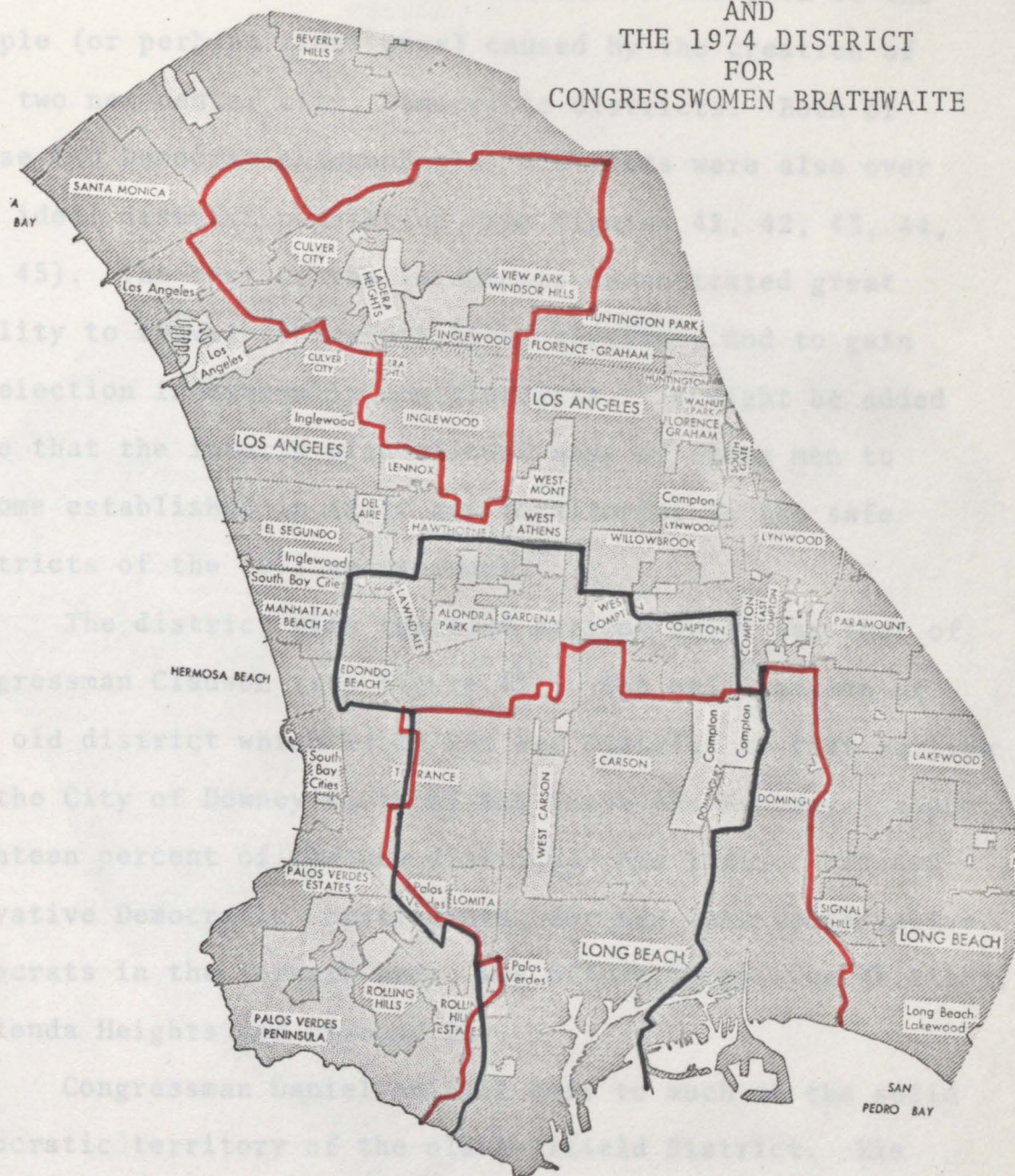


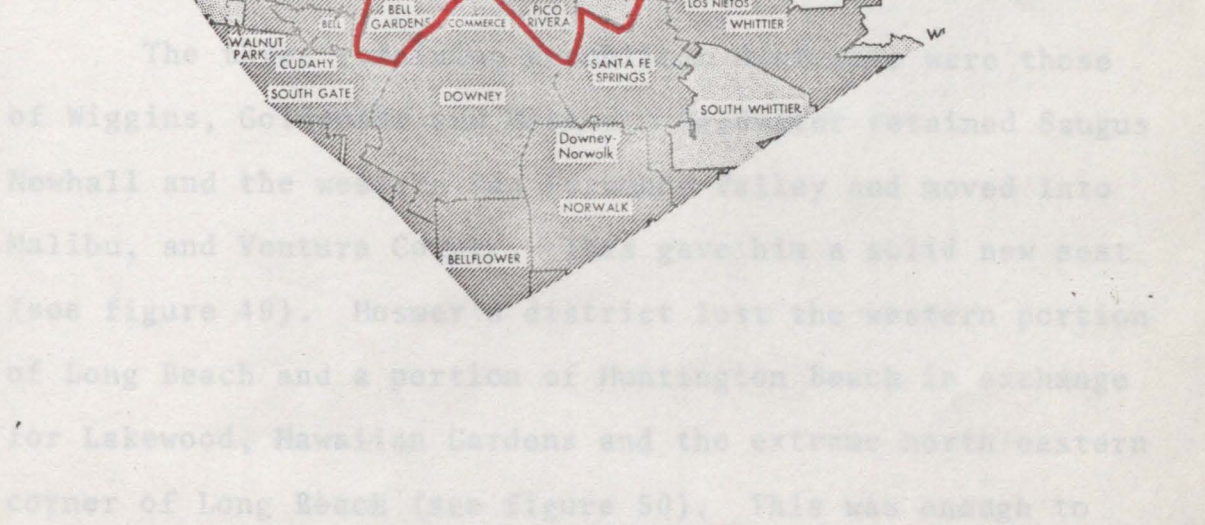
FIGURE 45
 MAP SHOWING 1970 & 1974
 CONGRESSIONAL DISTRICT
 FOR
 CONGRESSMAN ANDERSON
 AND
 THE 1974 DISTRICT
 FOR
 CONGRESSWOMEN BRATHWAITE



and Anderson, whose districts were not in the path of the ripple (or perhaps tidal wave) caused by the creation of the two new center city, Democratic districts. Both of these two Democratic incumbents' districts were also over the ideal district population (see figures 41, 42, 43, 44, and 45). The rest of the incumbents demonstrated great ability to travel to new political territory and to gain re-election in virtually new districts. It might be added here that the interim plan allowed many of these men to become established in their new territories in the safe districts of the 1971 gerrymander.

The district with the most extreme shift was that of Congressman Clauson (see figure 41). The only portion of his old district which is in his new district is that portion of the City of Downey south of the Santa Ana Freeway-- about eighteen percent of the new district. His loss of his conservative Democratic constituents, for new less conservative Democrats in the Norwalk area, was offset by gaining Whittier, Hacienda Heights and Diamond Bar.

Congressman Danielson fell heir to much of the solid Democratic territory of the old Holifield District. His district could be a possible seat for a Mexican American candidate in the future (see figure 46). Congressman Roybal inherited all of the eastern portion of the City of Los Angeles and almost all of East Los Angeles. The Masters' inclusion of East Los Angeles with the portion of the Barrio



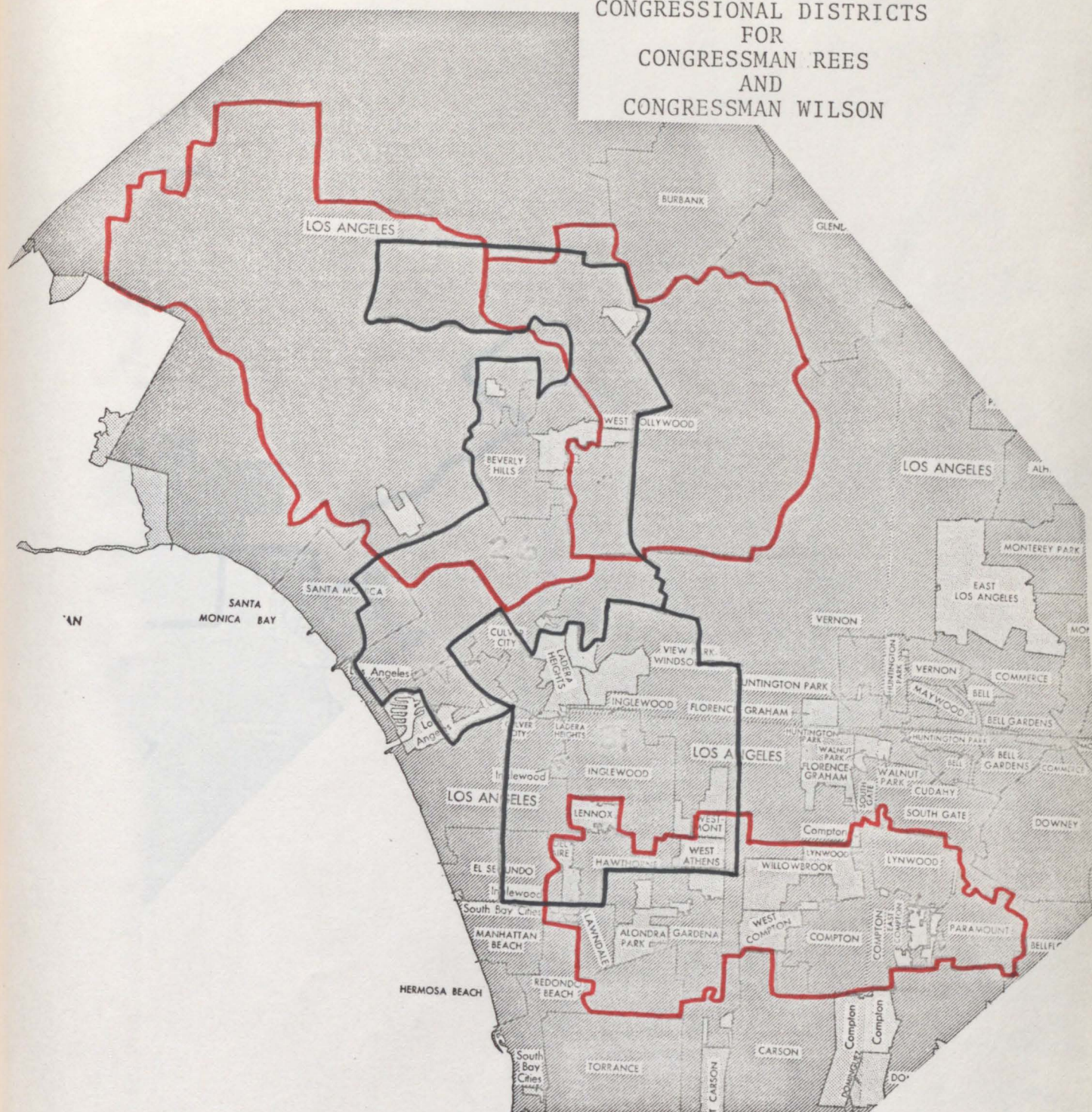
in the City of Los Angeles could be considered a subordination of the Mexican-American interest (see figure 47). Congressman Rees traded the eastern and northern half of his district for the liberal areas of the old Bell District (see figure 48). Wilson, the remaining Democratic center city incumbent, was the most displaced of the Democrats (see figure 48). He retained only about nineteen percent of his old district. Congressman Wilson's treatment under all three sets of districts is an interesting case study. The interim plan moved Wilson south into much of the area he now occupies. One of Wilson's great fears in his 1970 district was that a Black Democrat would defeat him in a primary. The Democratic Legislative Plan over-compensated for this problem and Wilson found himself only winning re-election in the 1972 General by only 52.3 percent. It was fortunate that the Masters' Plan added more Blacks to his district and removed any Republican areas.

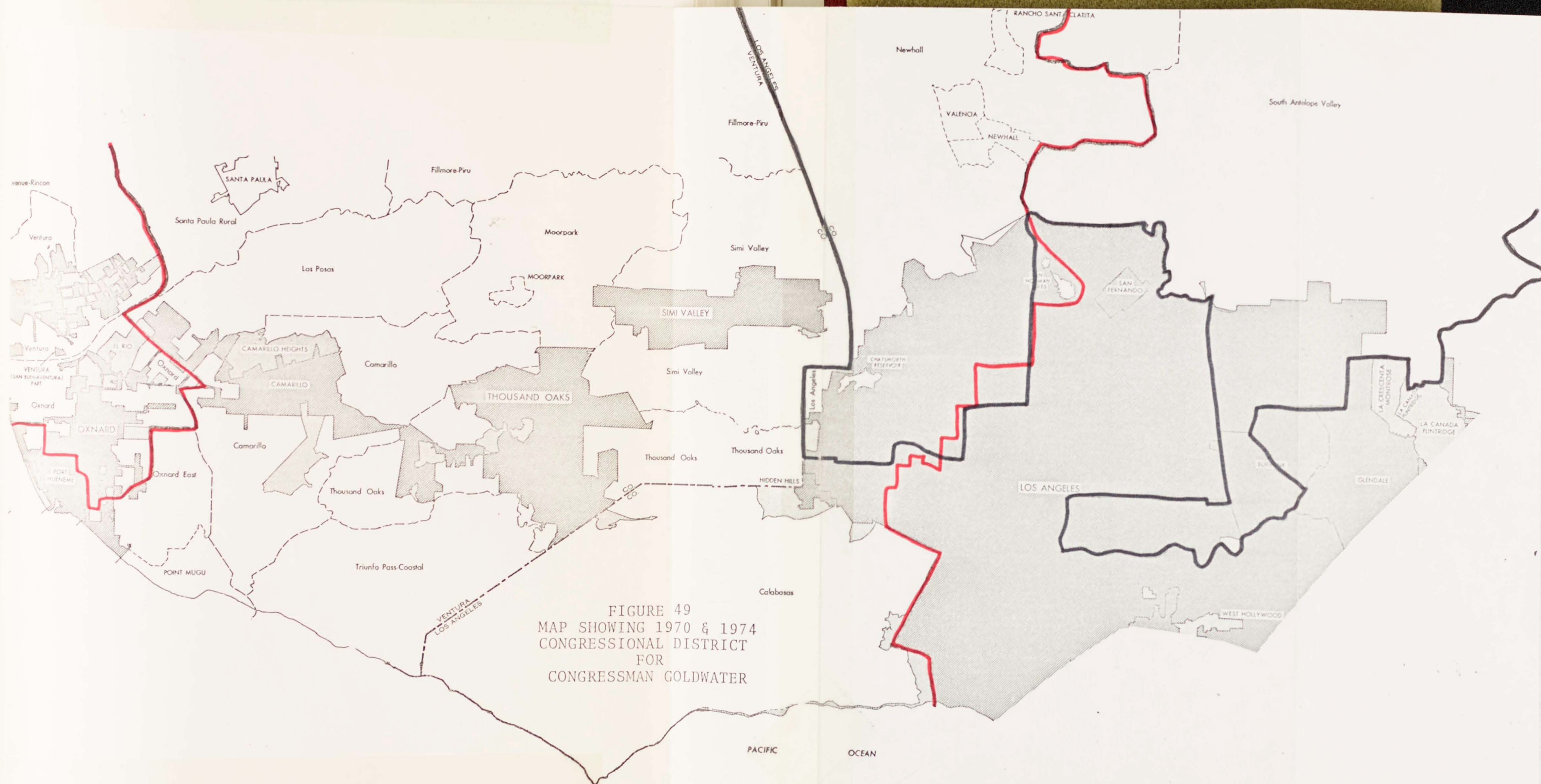
The three remaining Republican districts were those of Wiggins, Goldwater and Hosmer. Goldwater retained Saugus Newhall and the western San Fernando Valley and moved into Malibu, and Ventura County. This gave him a solid new seat (see figure 49). Hosmer's district lost the western portion of Long Beach and a portion of Huntington Beach in exchange for Lakewood, Hawaiian Gardens and the extreme north-eastern corner of Long Beach (see figure 50). This was enough to

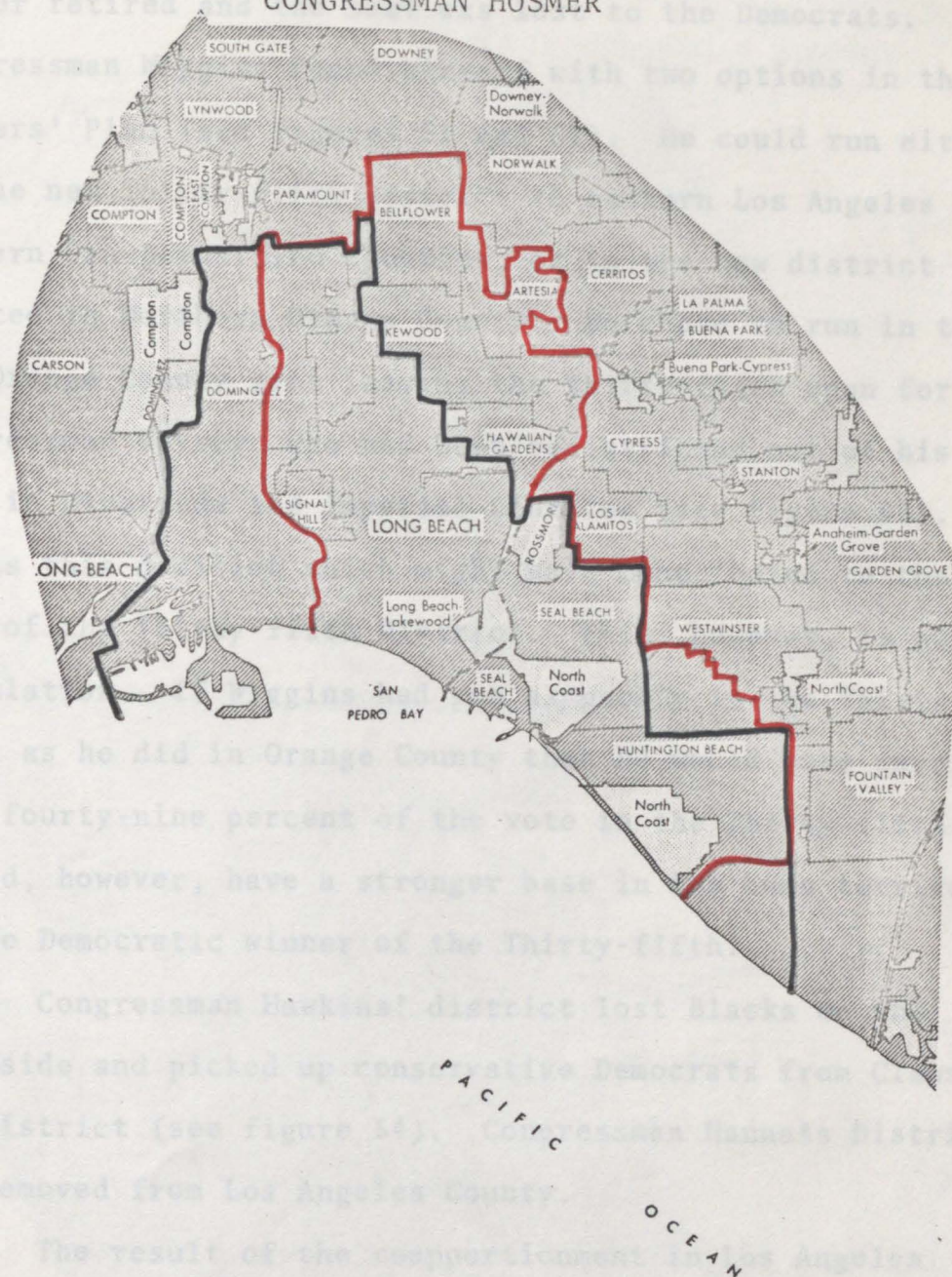
FIGURE 47
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN ROYBAL



FIGURE 48
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICTS
FOR
CONGRESSMAN REES
AND
CONGRESSMAN WILSON







lower the registration of the district by five percent. Hosmer retired and the seat was lost to the Democrats. Congressman Wiggins found himself with two options in the Masters' Plan (see figures 51 and 52). He could run either in the new Thirty-fifth District in eastern Los Angeles and Western San Bernardino Counties, or in the new district created in Northern Orange County. He chose to run in the new Orange County seat leaving the Thirty-fifth open for Congressman Veysey, who had been redistricted out of his seat in Riverside and Imperial Counties (see figure 53). It was this decision which might have contributed to the loss of the Thirty-fifth District. This, however, is pure speculation. If Wiggins had run as poorly in the Thirty-fifth as he did in Orange County then he would have carried only forty-nine percent of the vote in the Thirty-fifth. He did, however, have a stronger base in the home territory of the Democratic winner of the Thirty-fifth.

Congressman Hawkins' district lost Blacks on the west side and picked up conservative Democrats from Clawson's old district (see figure 54). Congressman Hanna's District was removed from Los Angeles County.

The result of the reapportionment in Los Angeles County was two losses for the Republicans and four gains for the Democrats. This leaves a delegation of five Republicans to eleven Democrats with three districts having substantial portions outside of the County. Future prospects are for

FIGURE 51
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN WIGGINS

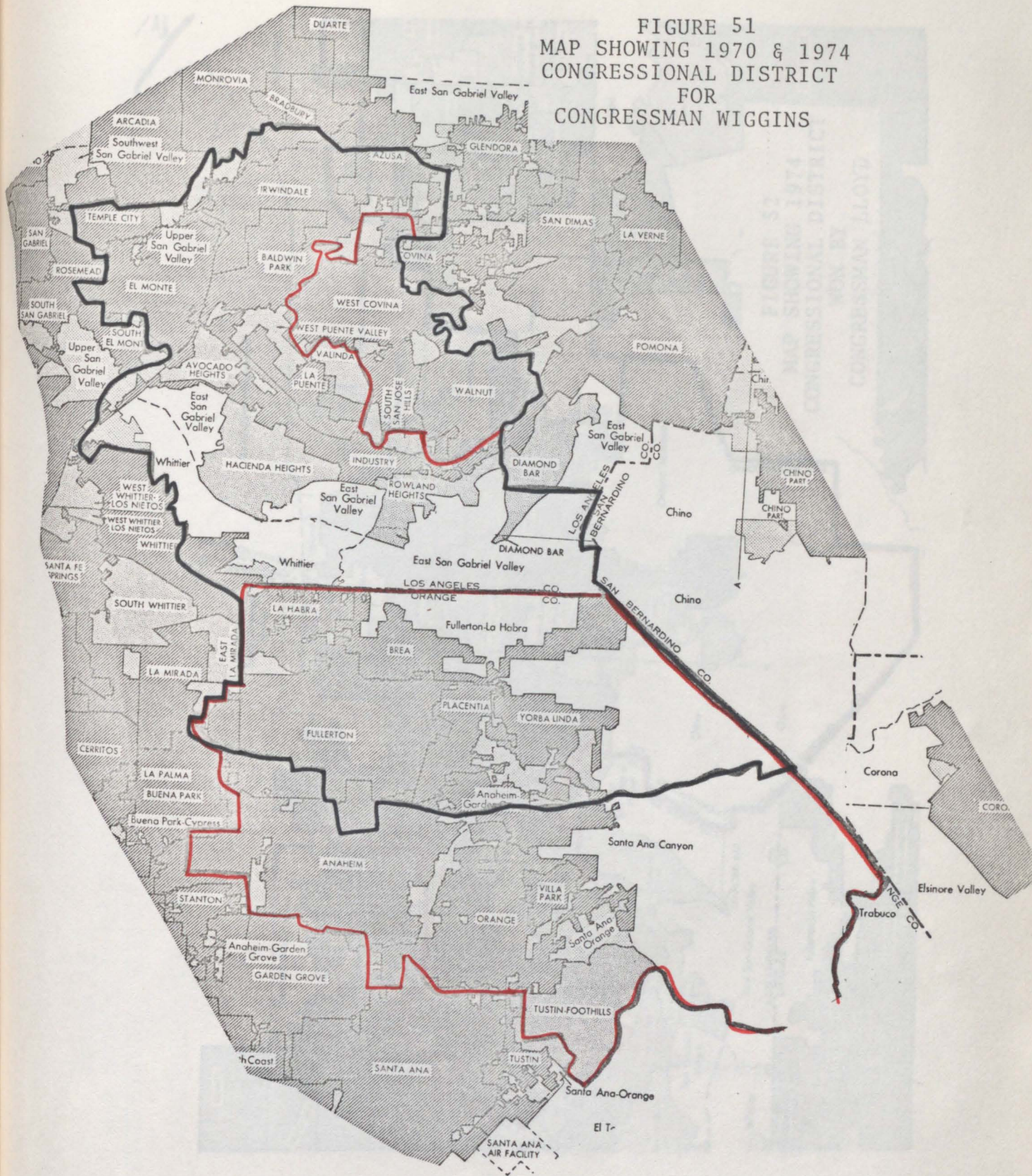


FIGURE 53
MAP SHOWING 1970
CONGRESSIONAL DISTRICT
OF
CONGRESSMAN VEYSEY
AND
1974
CONGRESSIONAL DISTRICT

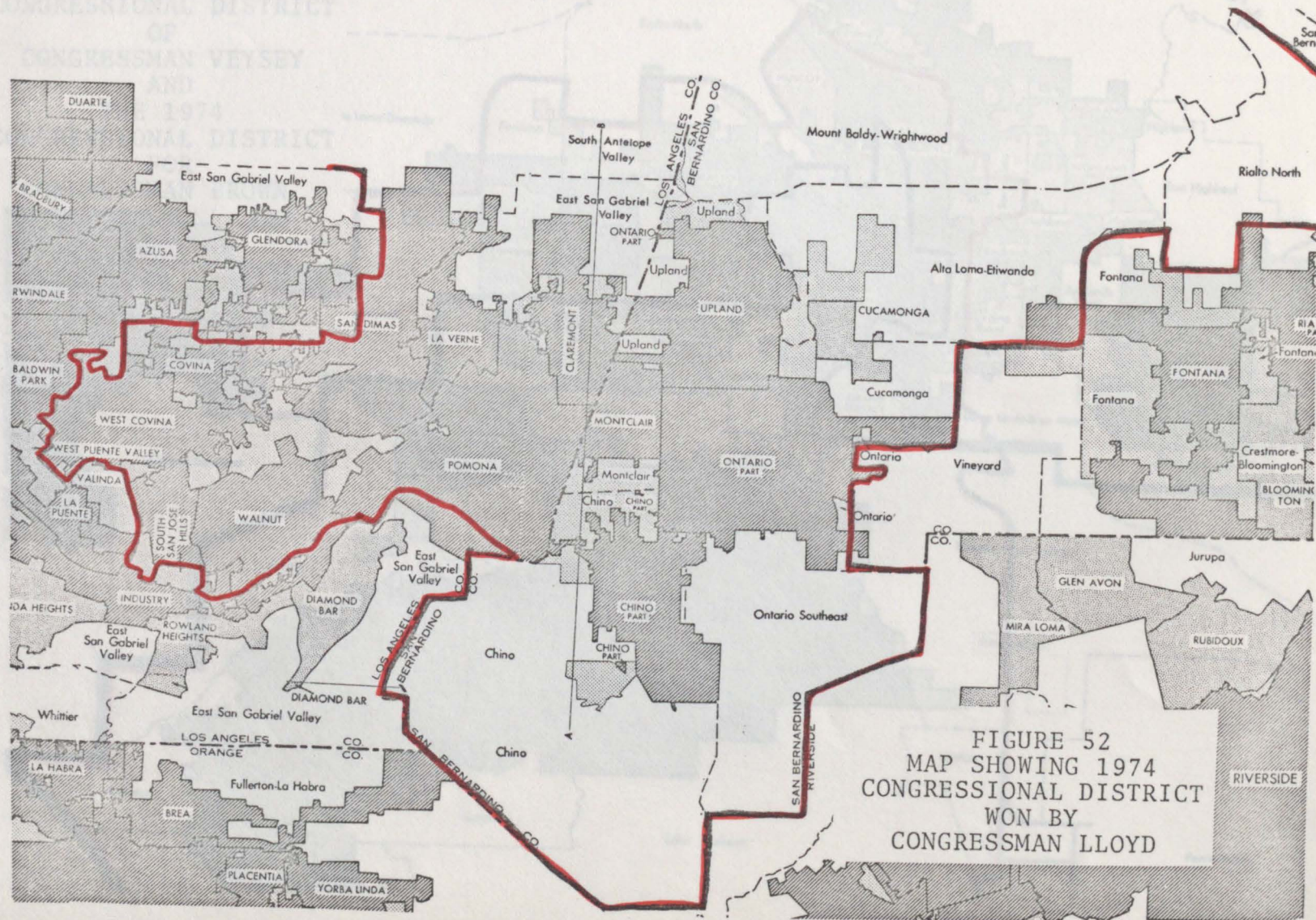
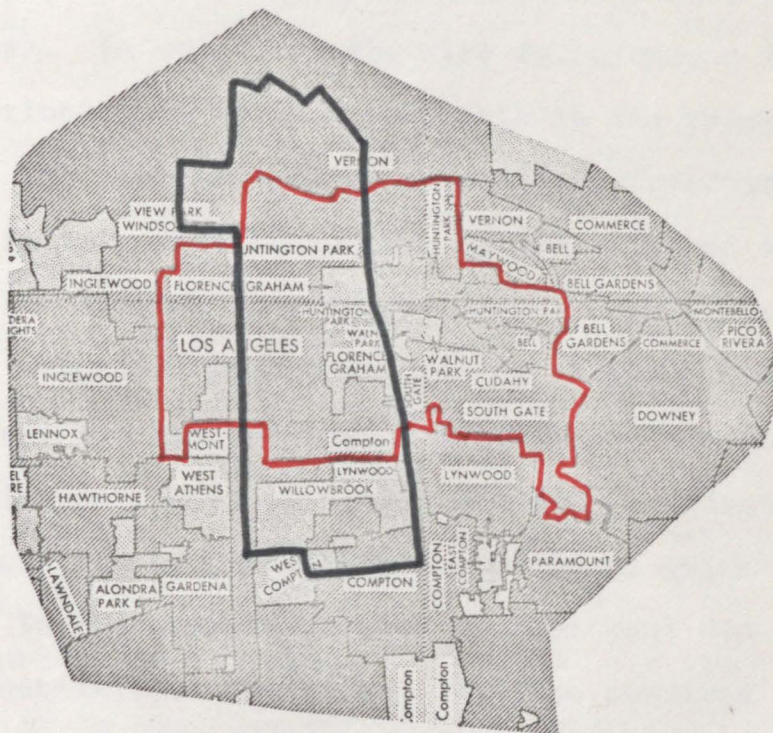


FIGURE 52
MAP SHOWING 1974
CONGRESSIONAL DISTRICT
WON BY
CONGRESSMAN LLOYD

MAP SHOWING 1970
CONGRESSIONAL DISTRICT
OF
CONGRESSMAN VEYSEY
AND
THE 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN BROWN

The map displays the geographical boundaries of two congressional districts in Southern California. The 1970 Congressional District of Congressman Veysey is delineated by a red line, encompassing areas like Fontana, Rialto, San Bernardino, and Redlands. The 1974 Congressional District for Congressman Brown is outlined in black, covering a larger area that includes Fontana, Rialto, San Bernardino, Redlands, and Corona. The map also shows the San Bernardino River and Lake Mathews. Various cities and regions are labeled, including Fontana, Rialto, San Bernardino, Redlands, Corona, and others. The map is a detailed representation of the political boundaries for these two congressmen.

FIGURE 54
MAP SHOWING 1970 & 1974
CONGRESSIONAL DISTRICT
FOR
CONGRESSMAN HAWKINS



two gains for the Republicans, but one, the Long Beach seat, will be difficult at best.

CHAPTER IV

THE COMPUTER IN THE REAPPORTIONMENT PROCESS

The formation of a reapportionment bill is a decision-making process. In order to make wise decisions, a large number of options must be made available to the reapportioners. In the past, the time and effort involved in formulating a single satisfactory reapportionment option required almost the entire time allotted to reapportionment committees. In recent years computers have been used in reapportionment efforts. Their use has produced a significant speedup of the reapportionment decision-making process by reducing the clerical effort and by performing calculations quickly and accurately. In the reapportionment process most decisions are made sequentially. Therefore, the time required to ascertain the facts upon which a decision can be based is very important. One boundary change usually requires another, until almost every district in a state has been affected. It is reasonable to expect that by increasing the number of decisions that can be made sequentially, the final plan will be improved.

The challenging technical problem in reapportionment is to develop a system that will maximize the amount of time

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The challenging technical problem in reapportionment is to develop a system that will maximize the amount of time

the legislator has for making decisions and minimize the time he must spend handling data. At the same time this system should provide the capability to allow the legislator to investigate the widest possible range of reapportioning techniques and to formulate the largest possible number of alternative district plans. The more options the reapportioner has available, the greater is the chance for a successful reapportionment.

At the same period that the U.S. Supreme Court was applying the "one man-one vote" standard to legislative districts, computer programmers were creating computerized redistricting systems to create constitutionally sound reapportionment plans. A great deal of energy was expended inventing systems that would satisfy the Court's equal population requirements. These systems were also motivated by other redistricting goals such as district contiguity, district compactness, and various standards for grouping sections of the population with special demographic characteristics.

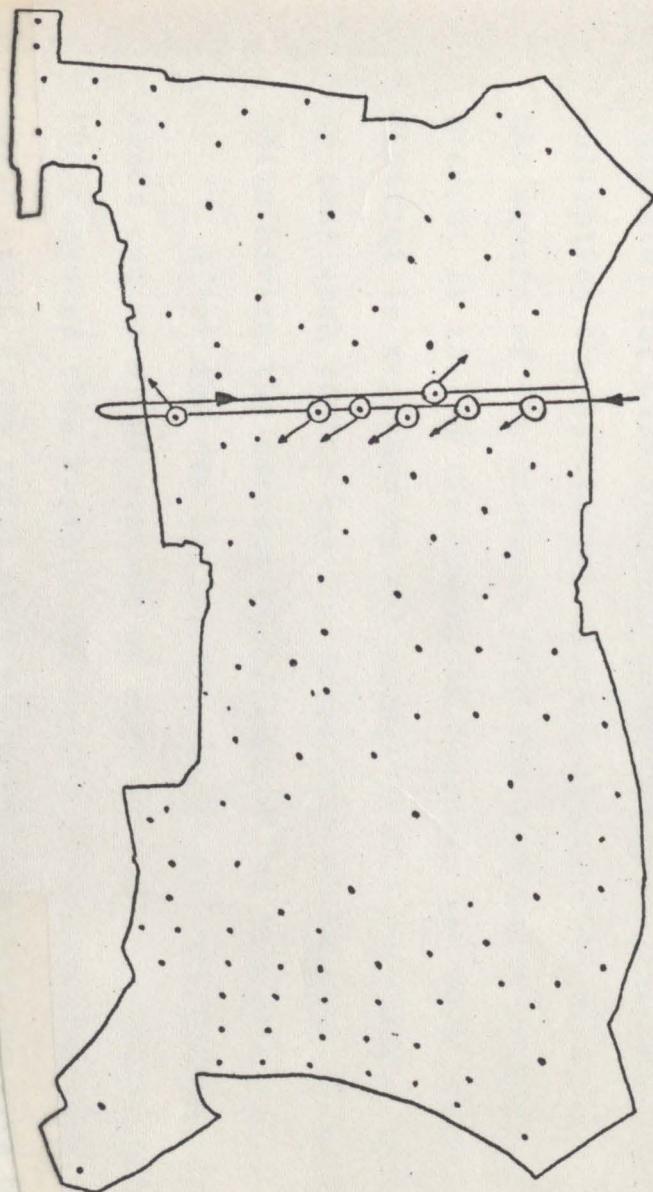
The Forrest, Weaver-Hess, and Ohio State University (OSU) methods fall into a class of systems which were designed to operate with demographic data only. These systems did produce districting plans that could have been imposed by the courts, but they never were used because the legislatures of states which had been required to reapportion were always

able to pass their own reapportionment bills prior to court deadlines.

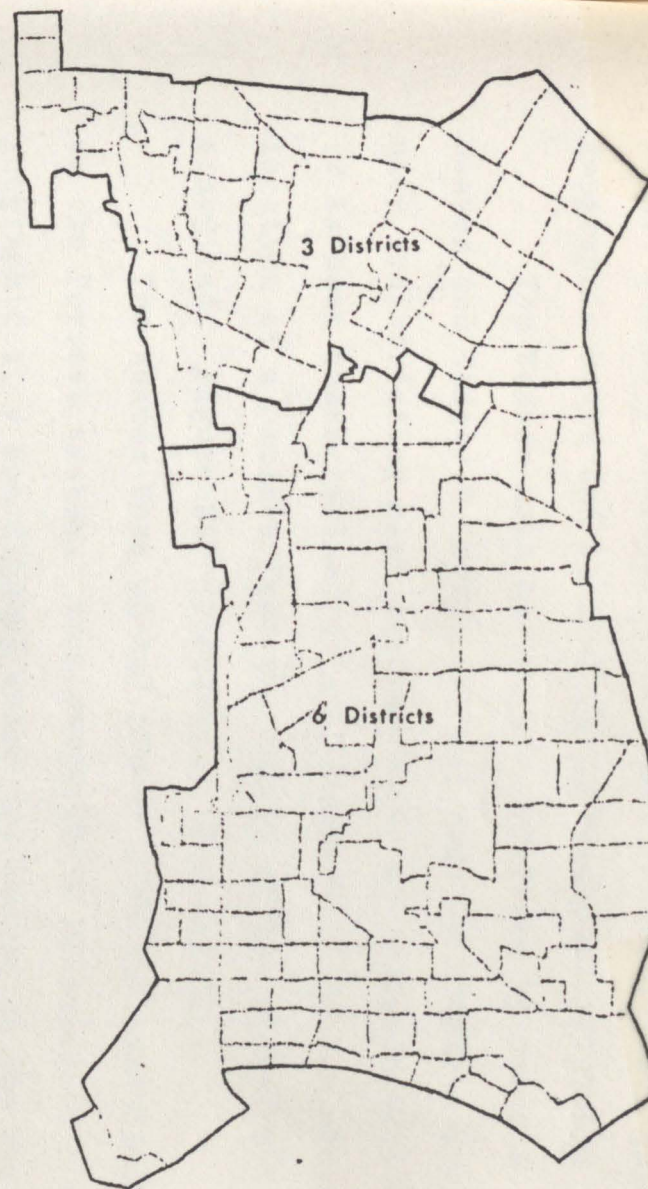
The Kaiser-Nagel system falls into its own class, in that it is designed to operate on both demographic and political data. This system, in a modified form, was used in the California reapportionments of 1965 and 1967. Some integration of these two classes of systems was to be used in the 1971 reapportionment.

The Forrest method was developed by Edward Forrest, an employee of Electronic Business Service Corporation, a subsidiary of Computer Applications, Inc. This system was used to create districts as possible reapportionment plans for New York and New Jersey in 1963. A representation of the Forrest Method is shown in Figure 55.

The system uses geographic information in the form of an x, y coordinate representing the center of each census unit. These center coordinates are placed on a master data tape for the state and processed through a program which examines and breaks down the state into diminishing fractions. When the computer has completed a pass, it has broken down the population with regard to geography, and it will continue to break down each fraction until the desired number of districts is created. Each succeeding pass starts from a perpendicular direction with respect to the previous pass. The state is thus broken down into rectangular shaped districts



A Sweep Dividing the Area to
be Redistricted



The Outcome Plotted on a Census
Tract Map

THE FORREST REAPPORTIONMENT SYSTEM

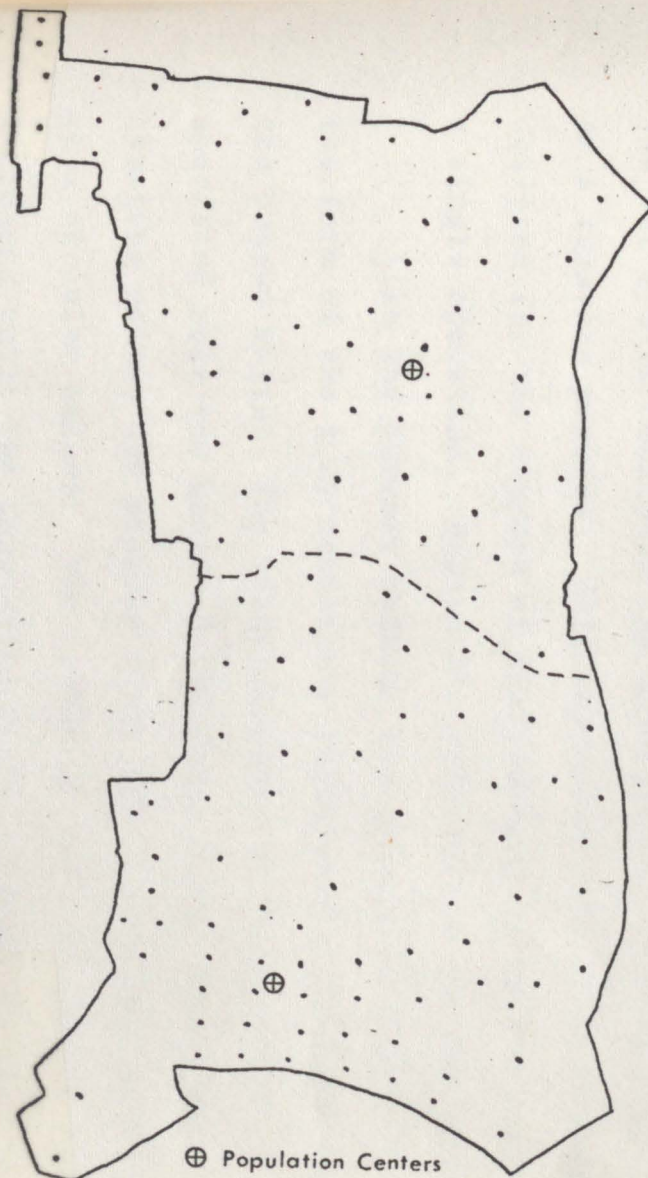
Figure 55

with deviations of one-half to one percent variation from the mean. The x, y coordinates are then converted back into geographic units and plotted on an electronic plotting device.

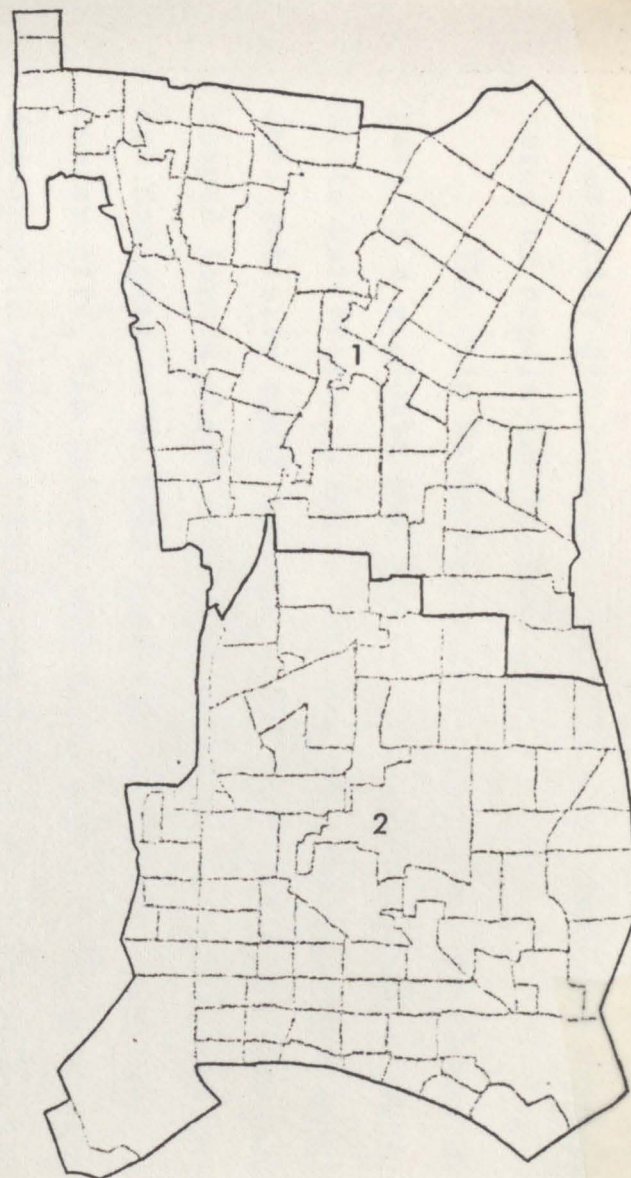
The Weaver-Hess system was developed by James B. Weaver and Sidney W. Hess. It was used to create a preliminary redistricting plan for the State of Delaware in 1963. It is best characterized as a "compactness" system where the location of a citizen from the center of his district is minimized. Figure 56 illustrates this method.

The Weaver-Hess method starts with the same procedure as the Forrest system. Each enumeration district is assigned geographic x, y coordinates which are placed in the computer. After this operation, the two methods are different. In the Weaver-Hess method a center of population is selected (by estimate) for each district to be created. The computer then multiplies the population of each enumeration district times the square of the distance from the population centers. This product is called the moment of inertia, and each enumeration district is assigned by the computer to a population center so that each center has the lowest sum of moments of inertia while having the correct total population assigned to it.

After the new legislative districts are formed, the exact center of population of each district is determined. The computer then repeats the entire procedure over and over again until a new trial does not produce districts with better



Population Centers and Centers
of Census Districts



The Result Plotted on a Census
Tract Map

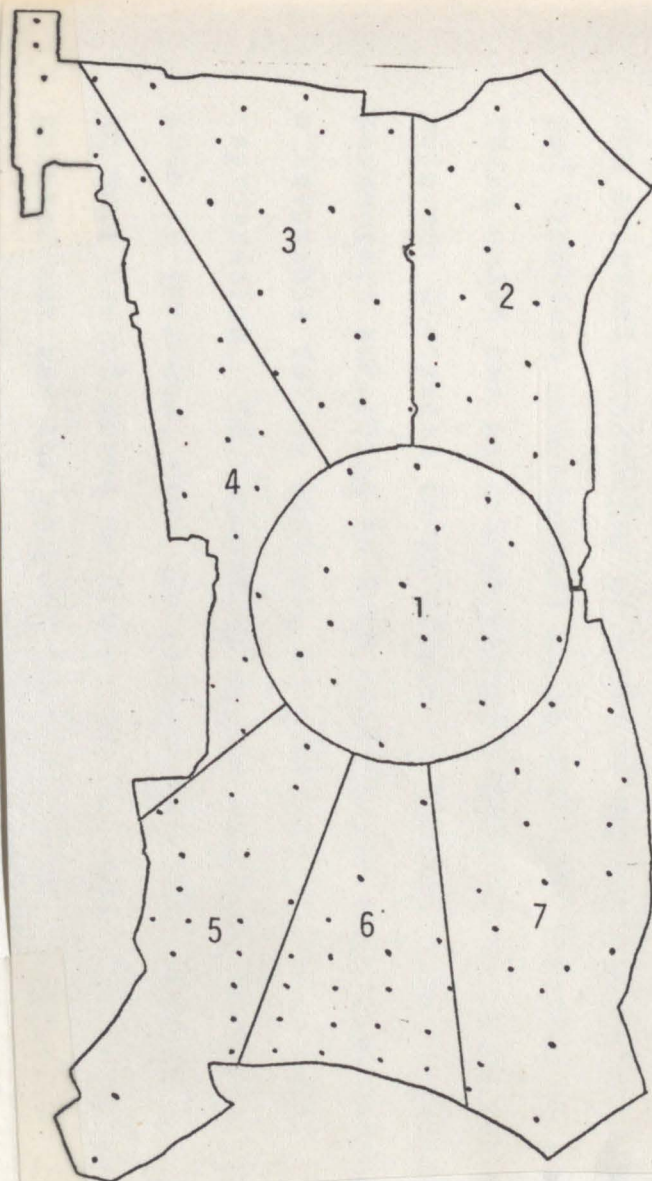
THE WEAVER-HESS REAPPORTIONMENT SYSTEM

Figure 56

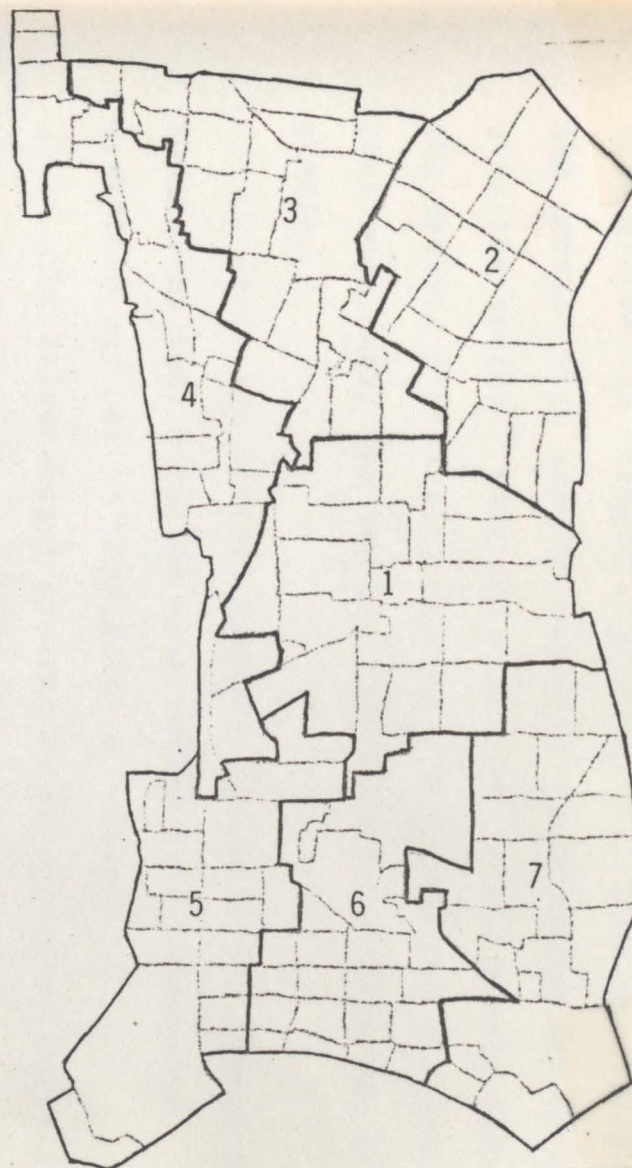
equality of population. The districts formed are not necessarily geographically compact, but they are compact in terms of population distribution.

The Ohio State University method was developed as part of a graduate seminar in political science at Ohio State University (OSU). The program produces districts substantially equal in population that are basically wedge-shaped formed about a circular central district; the districts are designed to be heterogeneous in nature-- combining the center city, the suburb, and rural areas. The heterogeneous demographic composition of the districts is in sharp contrast to other systems, which tend to produce homogeneous districts when applied within a single metropolitan area. The OSU system considers the distribution of each urban area as a separate problem. This contrasts with other systems designed for the purpose of distributing an entire state in a single operation. Figure 57 illustrates the OSU method.

Like the Forrest method, the geographic input is in the form of the x, y coordinate representing the centers of the census units. The starting point in this method is specified near the heart of the urban area. Using this starting point, the program scans the census unit positions in a circular manner. The radius of the scan circle is increased until the population total is equal to that required for a district. This central district ensures central city



Central District and Wedge-Shaped
District as Seen by the Computer



The Result Plotted on a Census
Tract Map

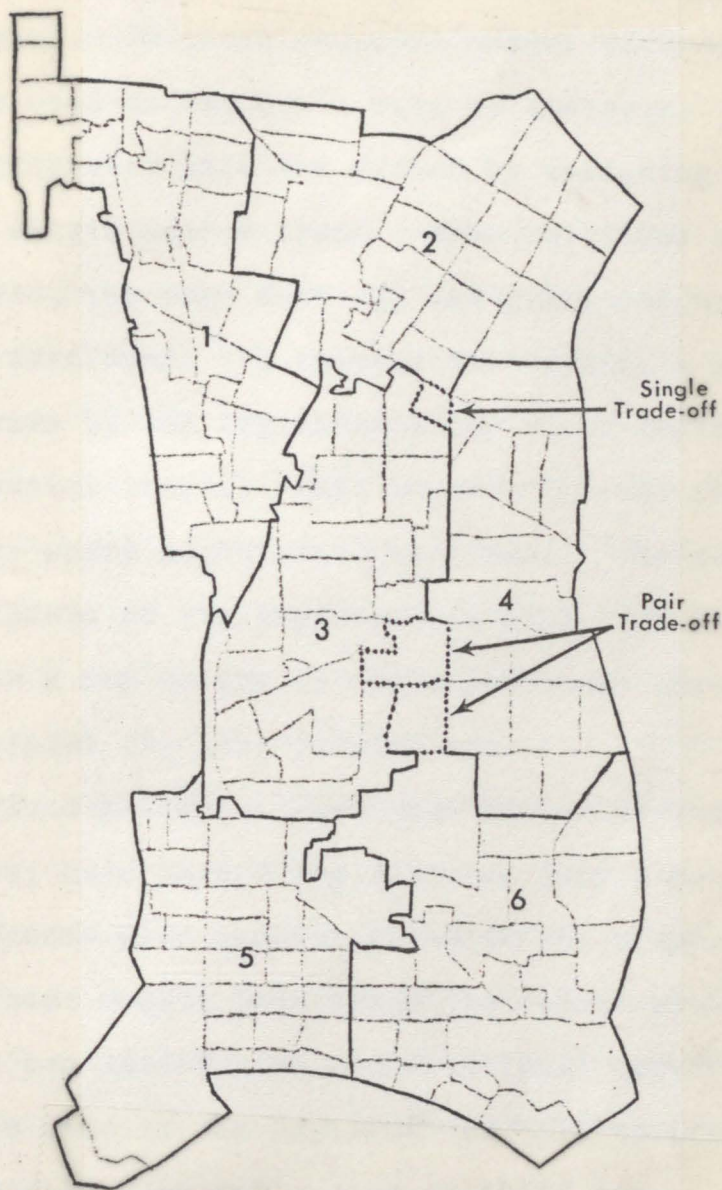
THE OHIO STATE UNIVERSITY REAPPORTIONMENT SYSTEM

Figure 57

representation. Upon completing the center districts, the scan process is changed. Starting with some specified bearing, the census units are collected as the scanning ray is rotated over the sector. When the total population equals that of the desired district, a district is formed and the process continues until the ray has been rotated through the full circle.

As in the Forrest method, the districts formed have boundaries that coincide with census unit boundaries. The districts may not be contiguous or compact.

The Kaiser-Nagel system was developed by Henry J. Kaiser and Dr. Stuart Nagel. It is the only system which is designed to start with existing legislative districts and modify them to conform to new criteria. The system takes the original districts, or a set of preliminary districts, and transfers geographical units from one district to another. These units can be traded either singly or in pairs between adjacent districts in an effort to improve each district's parameters according to such criteria as equal population, a favorable voting history, or a desired current party registration. If, according to the selected criteria, the plan is improved, then the changes are made permanent. When no more useful moves or trades can be made, the results are printed out and the program is terminated. Figure 58 illustrates the Kaiser-Nagel system.



A Sample Trade-Off Between Districts Three and Four

KAISER NAGEL REAPPORTIONMENT SYSTEM

Figure 58

great A variation of the Kaiser-Nagel system, developed by William Below, was used in the 1965 and 1967 California reapportionments. In these reapportionment efforts census tracts were used as the basic unit of analysis. Political data was integrated into the system by assigning each precinct to a single census tract. When political tabulations were required, the sums from all the precincts assigned to each tract were used. To operate the system, a proposed district drawn by the legislators had to be converted into a list of census tracts. This information was then fed into the computer where adjustments were made. The tabular listing or census counts of the improved district then had to be replotted on a map to see if the adjustments were acceptable and to interpret the area tabulations.

legisl Previous methods, aimed only at satisfying the judicial requirements, have forced legislatures into a position where they must become more sophisticated in the reapportionment process. These models have armed the courts with districting plans which can satisfy the constitutional requirement and which can be used if the legislatures fail to provide a constitutionally acceptable plan of their own.

The fact that these systems ignored reapportionment as the realignment of political districts was not a weakness in the environment in which they were originally created. The men who created these systems have, in fact, thought a

before they could be evaluated by the legislators.

great deal about the factors that should be considered in designing a reapportionment system. For instance, they have shown that reapportionment systems should be able to:

1. Respond rapidly with a number of alternate sets of district boundaries.
2. Provide a trade-off system as the basis for optimizing several criteria at once.
3. Manipulate geographic information in one form or another as required to aggregate and equate the statistical data in the computer.
4. Use mathematical techniques to ensure that the shape of a district will appear reasonable.

It seems clear that, as a minimum, these features should be incorporated into any system developed in response to a legislature's need for a reapportionment system that will take political factors into account. The Kaiser-Nagel system, as modified by William Below for California, was one step in this direction, but it suffers from the following weaknesses:

1. The accuracy obtainable by trading whole census tracts is not acceptable for use under the stricter court standards.
2. The original accuracy of the political data is lost when it is keyed to census tracts.
3. The system was slow because proposed district boundaries had to be converted into tabular form before they could be evaluated by the legislators.

All the Reapportionment Systems created prior to the 1971 Reapportionment were discarded by the political staffs in California. Given the new standards of exact equality demanded by the courts, and taking into account the precision in gerrymandering which was being demanded by the politicians, the old systems were simply not adequate. No plan produced by any model would ever be acceptable to legislators without extensive modification. Consequently, there was a shift in design theory of computer reapportionment systems away from systems which produce plans, to systems which aid staffs in drawing their own plans. The fact is, as far as the California experience demonstrates, computers are invaluable as an information source and as a means of keeping track of proposed plans. They are, however, not well suited for the actual drawing of plans in the political environment.

There are many needs which a well designed computer reapportionment systems must fulfill. However, even before a computer system may be implemented, an appropriate data base of information must be created. In California the data base building process began under the Republican Majority in 1970. With the ascendancy of the Democrats to the Majority in November of 1970, the data base building process diverged. The Democrats and the Republicans added to and refined the Republican base they had inherited, and the Republicans continued their own effort. There were, however, some basic differences between the two systems.

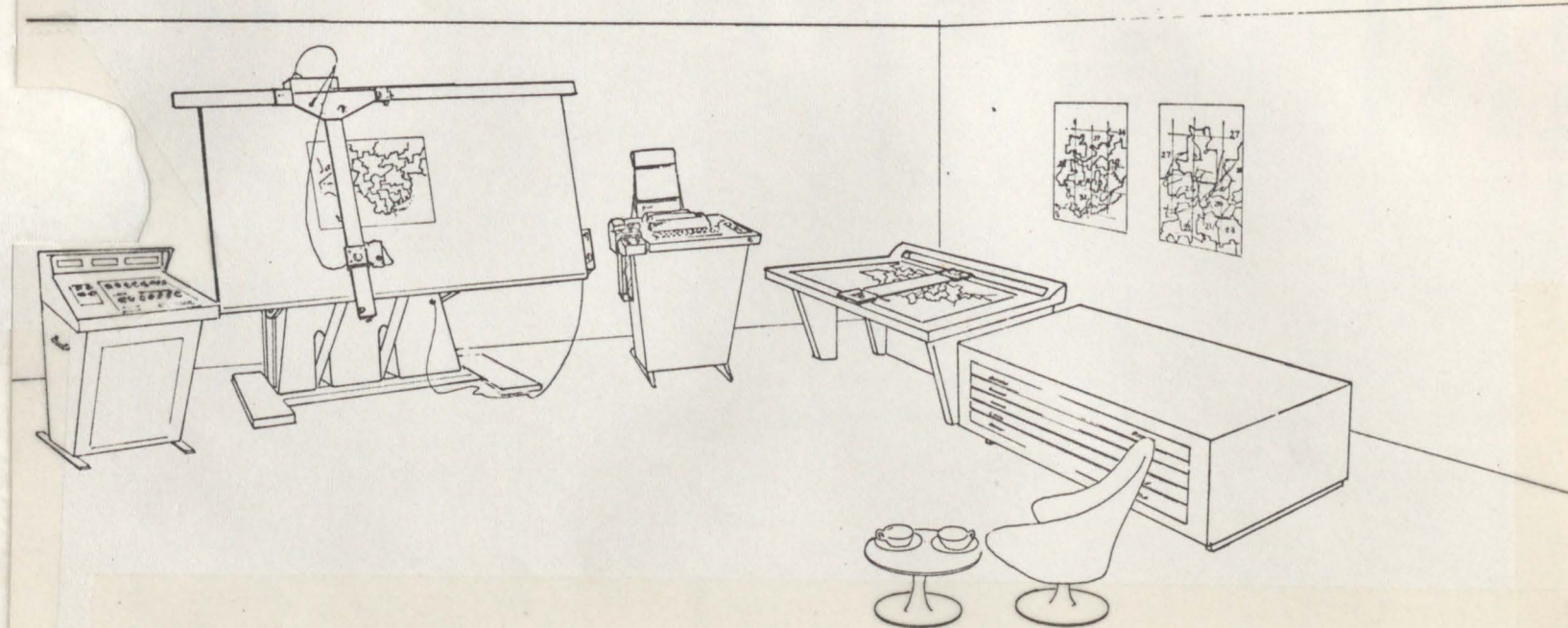
The Republican System was built with both a tabular and geographic orientation. Although census units were matched to precincts in the precinct records, each type of data was maintained separately in the computer. There was one record for each precinct and one record for each census tract. Each record contained an X-Y grid component which located the center of population of that unit on one of the special base maps created for the Republican reapportionment system. It was this map system along with the geographic grid coordinates which formed the heart of the geographic portion of the Republican System. The hardware of the Republican System consisted of a dedicated computer, a digitizer, a plotter, and a line printer. All of this hardware was located in San Diego.

For the sake of the non-computer oriented reader, an explanation of functions of both the plotter and the digitizer follows. A plotter is a computer driven device which draws pictures, diagrams, or maps using X-Y coordinates transmitted to it by the computer. This device was used in the Republican System to produce plots showing political characteristics by precinct. These plots were on the same scale as the base maps and could be overlaid on those base maps. The plotter is strictly an output device. The corresponding input device to the plotter is the digitizer. This device is used to input X-Y coordinates to the computer. The Republican System used

digitizers to input proposed plans into the computer for analysis. It was also used for building the original data base. The reader may refer to Appendix A for an example of the use of a digitizer in the Republican System.

The advantage of the Republican System was an increased accuracy in the assignment of political data to proposed districts. The second major advantage of this system was the speed with which Democratic plans could be entered into the system. The major disadvantage of the system was that it was located in San Diego.

The Democratic System was only tabular. The data was organized on a tract by tract basis with all precinct data assigned to tract records. Instead of geographic entry, proposed districts were entered by means of census tract numbers. If a boundary was to be drawn through the middle of a tract, the political data assigned to that tract was interpolated according to the percentage of population assigned to each district. This was the main disadvantage of the Democratic System. The assumption that political characteristics are homogeneous throughout a tract is not warranted by the facts. The second disadvantage of the Democratic system was that in order to enter proposed Republican plans on the Democratic System, a listing of tracts would have to be constructed first. This meant a great delay if the proposals to be analyzed were presented on maps without tract



ARTIST'S CONCEPTION OF DIGITIZER, PLOTTER &
TELETYPE INTERFACE HARDWARE

Figure 59

outlines. The two main advantages to the Democratic System were the result of its installation on a time sharing system. First, there was the added power of the computer system to which it was connected. Second, there was the portability of the system. If a system is connected to a computer through a terminal over telephone lines, it is possible to move that terminal at any time to any location.

Perhaps the most interesting factor in the use of systems was their total dominance by staff users. Although the systems were designed to interact with legislators, the leadership usually elected to keep other legislators away. In effect, complete control of the system became a powerful tool in the legislative process. In the case of both parties access to the opposites party's system became a means of creating discord in the opposition party's caucus. There is no doubt that if the Minority Party had not maintained its own system that the Republicans would have been pried away from their caucus one by one. It was, in the end, the Republicans' access to their own information that allowed the Republican Leadership to hold the line and prevent an override of the Governor's veto and the inactment of the original Democratic Plans. Had this been the case, California's legislative and congressional districts would have been created in the most skillful gerrymander to date in the United States.

CHAPTER V

ASSESSMENT OF THE MASTERS' PLAN

One could not properly conclude an analysis of the 1973 reapportionment of the State of California without a discussion of the work of the Special Masters. The Special Masters were faced with many difficult problems. To begin with, they were expected to complete three redistricting plans in a time period running from June to August of 1973. Even the Legislature, with all the resources available to it, was not able to produce equivalent plans in that period of time. Second, there was no technical base of support available to the Masters. Most of the technicians in the State were tainted by the partisan process, and could not be engaged by the Masters without constant bickering erupting over charges of partisan bias on the staff. The third major problem was that the Masters were expected to do a better job than the Legislature in constructing districts which could be defended in terms of logical criteria. They did, however, have one advantage over the Legislature. They did not have to please the 160 odd incumbents that had to be satisfied in the Legislative process.

Either because of the restricted amount of time available, or because of the generally accepted logic of

the principle, the Masters chose to create coterminuous senate and assembly districts. Furthermore, they elected to base the congressional district boundaries, inasfar as possible, on the assembly district boundaries. There are several advantages to this course of action. The first, and most obvious, is that only two sets of districts need be drawn instead of three. The second is the simplification of the descriptions of district boundaries. Third, once the assembly districts are drawn and justified they can be used as an a priori justification of the congressional and senate districts. There was also the assumption that the districts would be accepted with enthusiasm by election officials, whose tasks are always simplified by the minimization of ballot districts.

There are also disadvantages to this course of action. There are valid negative arguments against the coterminuous district criterion. The first question is that of representation theory. The Masters never felt obligated to address themselves to the issue of diversification of representation. If one were to accept the principle of factional diversification, as perhaps best expressed in the Federalist Papers, then one would be required to admit that having the upper house and lower house of a state's legislature elected from different political bases of support is more desirable. Furthermore, there is no logic to the argument that the

interests of voters in the work of the State Legislature are the same as those pertaining to the work of the Federal Legislature. There is also the further consideration that the Masters could have, even unintentionally, disadvantaged some groups of voters in the construction of assembly districts. The final objection to coterminuous districting is that the combination of two geographic areas which make acceptable assembly districts by themselves do not always result in a logical senate seat. It is for this reason that it would have been sounder policy for the Masters to have created three independent sets of districts-- had they had the proper amount of time. ~~produce safer seats for the majority party.~~

~~However~~ Certainly, the criteria of the Masters, presented as the basis of the construction of their reapportionment, are very commendable. It is, however, desirable that there be some discussion of these criteria--including some comments of their application to the Masters' actual districts. What follows is a brief item by item discussion of these criteria.

The first criteria was that of equal population. The Masters stayed well within all current standards dictated by U.S. Supreme Court decisions. Their assembly and senate districts vary by no more than two percent-- with an average deviation of no more than 0.6 percent. The congressional districts vary no more than 0.25 percent-- with the average deviation being 0.07 percent. There is certainly no basis for criticism of their performance on this standard.

~~ignored~~ The second criteria of compactness and contiguity is also without reasonable opposition and was well applied. ~~looked~~ In the case of city and county boundaries the Masters did not do as well as they could have had they had more time. There were many cases in which they followed census tract lines, when a little more effort would have produced a better aligned plan with respect to city boundaries. In the case of counties, the extension of two Los Angeles assembly districts into Ventura County has little justification. Second, the Masters' treatment of Riverside County is open to question, especially as the result, as will be shown later in this chapter, ~~was to~~ produce safer seats for the majority party. However, on balance, the Masters' performance is better than the State received at the hands of the Legislature.

~~Supreme~~ There is little to be found to criticize on the geographic distribution of districts. The State's major geographic regions were all fairly well maintained-- with the possible exception of the mountain areas. ~~fairness of the Plan of~~ "Community of interests" is the one criterion which leaves the door most open to those types of subjective decisions which might be called gerrymandering in other plans. There were instances in the Masters' Plan when "community of interest" was invoked as a justification of a district which violated the other more objective criteria. There were also other instances when "community of interests" was totally

ignored. The results were usually more favorable to the lessening of political competition. It should not be overlooked that political voting behavior has a great relationship to demographic characteristics. If one were to form his initial set of districts according to income, one would perform a very good gerrymander indeed. The Special Masters, it is noted, completely avoided commenting about the few Black districts in which they submerged 250,000 conservative Democrats in Los Angeles County. They also did not explain why they could not produce a high income district in Alameda County just as they were able to produce a lower income district in Orange County. Furthermore, it would appear that the Masters were not prepared to submit their plan to public criticism before it was presented as a fait accompli to the Supreme Court. Many instances of questionable fairness could have been tested in public meetings before the Plan became locked in concrete.

In order to answer the question of fairness of the Plan of the Special Masters, it then becomes necessary to ask to whom was the plan required to be fair. This is part of the basis of the Court's argument against further interference in the reapportionment process. It would seem, that in the case of congressional districts it is desirable that the larger minority groups be represented. It is also desirable that geographic areas of the state representing

differing economic systems be represented. It may, indeed, be desirable that certain income levels be represented as groups. It is also true that the potential for partisan balance should be maintained.

It is generally accepted that the Blacks got about the same treatment from the Special Masters as they got from the Democrats. The Mexican-Americans have one more possible seat than they did under the Democratic plans. On the issue of political fairness three formulae are presented for consideration.

The reason these formulae are presented is to show the difficulty in accessing the fairness of a plan according to just one factor-- that of party competition. This factor is less difficult than others due to the fact that the Republican party constitutes one of the largest and most measurable minorities.

The first formula, the portion of vote formula, deals with the number of seats gained by each party compared to the total number of votes received by that party's candidates in all races. If one were to do this, the following conclusions would apply. In 1968, if the congressional seats were allotted according to percentage of votes for each party's candidates, the delegation seats would have consisted of 20 Republicans and 21 Democrats. In 1970 the composition would have been 19 for each party. Instead, it was 18 Republicans

Table 3

Statistics Used in Calculating
Proportional Formula
of
District Political Competition

Year	Votes for Democrats	Votes for Republicans	Rep % of Vote	No. Seats*	Seats Gained#
1964	3,609,315	3,213,828	47.1	18	15
1966	2,937,862	3,336,943	53.2	20	17
1968	3,089,104	3,808,934	55.2	21	17
1970	3,058,820	3,042,528	49.9	19	18
1972	4,209,586	3,779,472	47.3	20	20
1974	3,312,449	2,369,389	41.7	18	15

Source: California Secretary of State, Statement of the Vote, (Sacramento, California, Office of State Printing, 1964, 1966, 1968, 1970, 1972, 1974).

45 percent of the seats, the other party has some disproportionate advantage due to district boundaries.

The second formula could be called the Deviation Factor. For each district, that district's Republican registration is subtracted from the average Republican registration for the state as a whole. This figure is squared and the results are added for all districts. If the results are compared for 1970, 1972, and 1974 then the Special Masters' Plan lies in between the Legislative Plan of 1965 and the Legislative

and 20 Democrats. In 1972 the result was just as it should have been-- 20 Republicans to 23 Democrats. In 1974 the composition would have been 18 Republicans to 25 Democrats. Instead, the delegation consisted of 15 Republicans and 28 Democrats. If the Special Masters are judged on this criteria, then they are three seats off a delegation, which would reflect a fair reapportionment. It should be noted, however, that this formula of measurement of political fairness has many weaknesses; it is only a general measure. First, it does not correct for those candidates who run unopposed. Nor does it take into account that due to the actual boundaries of some districts, there is no effective partisan opposition. Some of this 1974 gap may be due to the "winner take all" effect taking hold. It might, however, be assumed that if a party manages to gain 55 percent of the votes cast for congress as the Republicans did in California in 1968, and still win only 45 percent of the seats, the other party has some disproportionate advantage due to district boundaries.

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[illegible]

Sum of Squares from Statewide Percent = 2548 down 1216 up
Total 3764
Excluding Extreme District Each End = 1392 down 816 up
Total 2208
Average Percentage for State +41

[illegible]

Sum of Squares from Statewide Percent = 1979 down 1229 up
Total 3208
Excluding Extreme District Each End = 1403 down 905 up
Total 2308
Average Percentage for State +38

Competative Range is from 35% to 44%

distance in registration from the outside storage if the seat is outside of that registration.

Sum of Squares from Statewide Percent = 2258 down 1435 up
Total 3693
Excluding Extreme District Each End = 1633 down 1074 up
Total 2707
Average Percentage for State +38

Plan of 1971, with the latter being the best. If one discounts the highest and lowest district in registration from the computations, the Masters' Plan comes out number three, behind the 1965 Plan and the 1971 Plan. This formula, however, only measures the extremes of registration, not the number of competitive seats. It is not always important to measure the distance in registration from the statewide average if the seat is outside of that registration range which makes it possible for either party to win.

The last, and most important formula, the Competitive Factor, measures the total number of seats which fall in the competitive ranges of registration. This range runs from the lowest Republican registration won by a Republican and the highest Republican registration won by a Democrat. If this formula is applied to the last three elections then the best plan is that of the 1965 legislative bill. It has sixteen competitive seats for 42.1 percent of the total. The next is the Special Masters' with 18 seats for 41.8 percent of total. The last is the 1971 Plan with 14 seats for 32.5 percent of total. The problem with this formula is that it does not take into account that in certain areas voters from one party or the other have greater switch voting propensity, nor does it take into account the factor of incumbency. The subject of the fairness of the Masters' Congressional Plan can, thus, be partially ascertained by the application of

the three formulae cited above. Taken in the light of these measures, the Plan does not appear to be as fair as one might have hoped. However, it is when one examines specific cases that final conclusions can be drawn. There were a number of "close" congressional races in the 1972 General Election. These races are listed below:

Table 5

1972 General Election
Close Congressional Races

Incumbent Name	District 197 /1974	Republican Registration			Comments
		1971	1973	1975	
Mailliard	6/5	40.7	36.6	35.1	Mailliard retired
Stark	8/9	34.5	33.7	32.0	
Wilson C.	31/31	27.2	32.3	21.9	
Ketchum	36/18	*	37.4	39.7	*new 1972 District
Brown	38/36	*	31.0	34.1	*new 1972 District

There were also a considerably larger number of close races in 1974. Here as above, a close race is one in which the winner received less than 56.0 percent of the votes cast for office. These races are listed on the following page.

The shift in party alignment of the California Delegation occurred through a change in five seats. Of these seats three were vacated by incumbent Republicans. The Republican registrations of these seats were as follows: Mailliard

Table 6

1974 General Election
Close Congressional Races

Winner's Name	Loser's Name	Percent Vote Winner	Registration 1973	Registration 1975	District Number
Clausen	Klee	53.0	38.6	38.2	2
Miller, G	Fernandez	55.6	33.7	32.0	9
Mineta	Milias	52.5	44.8	42.0	13
Talcott	Camacho	49.2	40.3	40.2	16
Krebs	Mathias	51.8	40.0	38.6	17
Ketchum	Seielstad	52.6	37.4	39.7	18
Moorhead	Hallin	55.8	53.7	53.2	22
Clawson	White	53.4	44.8	42.1	33
Hanna-ford	Bond	49.7	46.9	41.9	34
Lloyd	Veysey	50.3	**	44.6	35
Patter-son	Rehmann	54.0	37.4	38.9	38
Wiggins	Farris	55.3	46.2	51.2	26
Wilson, B.	O'Connor	54.5	46.8	44.9	41

(35.1), Gubser (42.0) and Hosmer (41.9). The fourth seat was caused by the defeat of Mathias whose seat had a Republican registration of 38.6. The fifth was the defeat of the transplanted incumbent Victor Veysey into the new Thirty-fifth District. This district had a registration of 44.6.

possible One need not have a high degree of political sophistication to come to the conclusion that Watergate had a strong bearing on the election outcomes of 1974. Neither is great insight required to determine that the Staff of the Special Masters knew that this impact was going to occur. The question of fairness revolves around the following question: Did the Masters' Plan reflect the option, within the Masters' own criteria, to strengthen or weaken any of the lost seats? Second, did any of the other new seats created by the Masters reflect an anti-Republican bias? The answer is again found in a case by case examination. to win. This seat is, however,

well. The Milliard seat had shown a steady decline in Republican registration in the last six years. Even the incumbent oriented plan of 1971 had only been able to secure a registration of 38.6-- down from 40.7. The Masters' Plan lowered that registration by a further 1.5 percent. Although it could be claimed that Burton could have defeated Milliard in either the 1971 or 1973 seat, an equally convincing claim could be made that there is an adequate Republican Registration in San Francisco County to create a more competitive district. It could also be claimed that there is adequate Republican registration in the East Bay areas of Contra Costa and Alameda Counties to create a more competitive district. A further claim could be made that in Republican Orange County the Special Masters' Plan created the most Democratic District

possible (within their criteria) to replace Hanna's old district. The question is this: Why was a Competitive district created in Orange County and not in either San Francisco or Alameda Counties? The assumption presented here is that the Masters' Staff was not so favorable toward the Republican cause. The net effect was two more Democratic seats.

Congressman Gubser's seat had also shown a decline over the six year period from 1970 to 1975. A case could be made, however, that if Gubser had run for re-election, he probably would have been able to win. This seat is, however, well within the bounds of being competitive.

Congressman Mathias' seat was always a questionable seat. It is not probable that the Masters could have given the seat any better registration without an outright gerrymander.

Congressman Hosmer's seat was a different case. The north-south split of the City of Long Beach could have been drawn to make both a more competitive seat for Hosmer and also for the State Assembly Districts from which it is comprised. The exclusion of Lakewood from the district and the addition of Southwestern Long Beach would have made the district a point or two more Republican.

The new Thirty-fifth District was created in order that a safe seat could be created for Congressman Brown in

Riverside and San Bernardino Counties. The Masters' explanation that they were combining the "urban" areas of the two counties was not a strong enough argument to justify the division of Riverside County into three congressional districts when that county was just short 5,000 persons from ideal district size. One simply does not see the same motive being executed consistently in the Masters' Plan in the other districts in the State-- particularly in the case of Assembly Districts-- where the urban areas of Sacramento and Fresno are split up. Two facts, however, should be noted. First, the new district was only 1.7 percent worse in registration than the old Forty-third (1972). This district could have been won easily by the Republican in any other year and should have been won even in the face of Watergate. Second, the creation of the Riverside district would have required a ripple effect through San Diego and Orange Counties. This ripple, if executed according to the Masters' criteria, would have significantly lowered the Republican registration in the Hosmer District. In balance, the Masters' Plan did not follow the stated criteria, but the net effect should not have been a loss of one Republican seat.

In conclusion, the facts support a conclusion that the Masters certainly did not go out of their way to consider the interests of the Republican Party. On the other hand, it would appear that Democratic interests were sometimes

Table 7

given a little better attention. Had Watergate not occurred the Hosmer, Veysey, and Mathias seats would probably have been held. Furthermore, with better campaigns and candi-

dates the Gubser seat and the new Orange County seat might have been won. If one considers a Republican delegation of 18 to 20 to be "fair," then one has to come to the conclusion that the Masters were far kinder than they might have been.

1 Johnson	41.3	2	38.4	3	37.9
4 Leggett	36.3	4	33.3	5	31.6
6 Milliard	40.7	6	35.5	7	33.1
8 Miller	34.5	8 Stark	33.7	9	32.9
10 Gubser	46.0	10	44.0	11 Mineta	43.0
11 McCloskey	42.5	12	40.3	13	40.2
12 Talcott	44.6	13	43.5	14	40.6
13 Teague	47.4	14	38.0	15	35.6
14 Waldie	40.9	15	35.0	16	38.5
15 McFall	38.0	16	32.8	17	32.4
16 Sisk	34.0	17	29.4	18 Krebs	31.9
17 Anderson	31.3	18	28.0	19	38.6
18 Mathias	40.0	19	30.5	20	x
19 Holifield	35.3	20	33.7	21	33.2
20 Smith	57.2	21	14.6	22	13.6
21 Hawkins	7.5	22	23.1	23	32.9
22 Corman	37.2	23	44.8	24	42.1
23 Clawson	35.3	24	31.0	25	31.3
24 Rousselet	56.7	25	49.1	26	31.2
25 Wiggins	46.6	26	30.1	27	32.1
26 Rees	27.7	27	42.0	28	45.4
27 Coldwater	46.9	28	41.4	29	46.0
28 Bell	49.9	29	30.3	30	24.3
29 Danielson	32.0	30	28.7	31	22.0
30 Roybal	32.1	31	32.3	32	21.0
31 Wilson	27.2	32	40.0	33	41.0
32 Hosmer	40.8	33	40.1	34	47.0
33 Pettis	45.0	34	37.4	35	38.0
34 Hanna	43.5	35	50.9	36	37.5
35 Schmitz	61.7	36	46.0	37	46.0
36 Wilson	51.0	37	34.1	38	32.1
37 VanDeerlin	38.0	38	40.0	39	37.4
38 Veysey	43.5	39	33.7	40	37.0
		40	31.0	41	30.1
		41	33.7	42	34.1
		42	31.0	43	31.2
		43	33.7	44	31.6
		44	31.0	45	31.6
		45	33.7	46	31.6
		46	31.0	47	31.6
		47	33.7	48	31.6
		48	31.0	49	31.6
		49	33.7	50	31.6
		50	31.0	51	31.6
		51	33.7	52	31.6
		52	31.0	53	31.6
		53	33.7	54	31.6
		54	31.0	55	31.6
		55	33.7	56	31.6
		56	31.0	57	31.6
		57	33.7	58	31.6
		58	31.0	59	31.6
		59	33.7	60	31.6
		60	31.0	61	31.6
		61	33.7	62	31.6
		62	31.0	63	31.6
		63	33.7	64	31.6
		64	31.0	65	31.6
		65	33.7	66	31.6
		66	31.0	67	31.6
		67	33.7	68	31.6
		68	31.0	69	31.6
		69	33.7	70	31.6
		70	31.0	71	31.6
		71	33.7	72	31.6
		72	31.0	73	31.6
		73	33.7	74	31.6
		74	31.0	75	31.6
		75	33.7	76	31.6
		76	31.0	77	31.6
		77	33.7	78	31.6
		78	31.0	79	31.6
		79	33.7	80	31.6
		80	31.0	81	31.6
		81	33.7	82	31.6
		82	31.0	83	31.6
		83	33.7	84	31.6
		84	31.0	85	31.6
		85	33.7	86	31.6
		86	31.0	87	31.6
		87	33.7	88	31.6
		88	31.0	89	31.6
		89	33.7	90	31.6
		90	31.0	91	31.6
		91	33.7	92	31.6
		92	31.0	93	31.6
		93	33.7	94	31.6
		94	31.0	95	31.6
		95	33.7	96	31.6
		96	31.0	97	31.6
		97	33.7	98	31.6
		98	31.0	99	31.6
		99	33.7	100	31.6

Table 7

Table of Congressman By Year
With District Numbers, Names, and Republican Registration

1970			1972			1974		
1	Clausen	42.7	1		38.6	2		38.2
2	Johnson	41.3	2		38.4	1		37.9
3	Moss	35.8	3		33.1	3		34.0
4	Leggett	36.3	4		33.8	4		31.6
5	Burton	23.2	5		20.0	6	Burton J	24.4
6	Milliard	40.7	6		36.6	5	Burton P	35.1
7	Dellums	30.1	7		28.2	8		32.3
8	Miller	34.5	8	Stark	33.7	9		32.0
9	Edwards	31.5	9		28.0	10		28.8
10	Gubser	46.9	10		44.8	13	Mineta	42.0
11	McCloskey	42.5	17		39.7	12		44.3
12	Talcott	44.6	12		40.3	16		40.2
13	Teague	47.4	13		45.3	19	Lagomarsino	40.6
14	Waldie	40.9	14		35.9	7		35.6
15	McFall	38.9	15		35.6	14		38.5
16	Sisk	34.0	16		32.8	15		32.4
17	Anderson	31.3	35		29.4	32		31.9
18	Mathias	40.0	18		40.0	17	Krebs	38.6
19	Holifield	35.3	19		30.5	x		x
20	Smith	57.2	20	Moorhead	53.7	22		53.2
21	Hawkins	7.5	21		14.6	29		13.6
22	Corman	37.2	22		33.1	21		32.9
23	Clawson	35.3	23		44.8	33		42.1
24	Rousselot	56.7	24		51.6	26		51.3
25	Wiggins	46.6	25		46.2	39		51.2
26	Rees	27.7	26		30.1	23		32.1
27	Goldwater	46.9	27		42.6	20		46.4
28	Bell	49.9	28		41.4	27		46.0
29	Danielson	32.0	29		30.3	30		24.3
30	Roybal	32.1	30		28.7	25		22.9
31	Wilson	27.2	31		32.3	31		21.9
32	Hosmer	46.8	32		46.9	34	Hannaford	41.9
33	Pettis	45.0	33		48.1	37		47.0
34	Hanna	43.5	34		37.4	38	Patterson	38.9
35	Schmitz	61.7	39	Hinshaw	56.9	40		57.6
36	Wilson	51.0	40		46.8	41		44.9
37	VanDeerlin	38.0	41		34.1	42		35.1
38	Veysey	43.6	43		46.6	x		x
			11	Ryan	34.9	11		37.4
			36	Ketchum	37.4	18		39.7
			37	Brathwaite	23.7	28		22.0
			38	Brown	31.0	36		34.1
			42	Burgener	53.7	43		50.1
						24	Waxman	33.2
						35	LLoyd	44.6

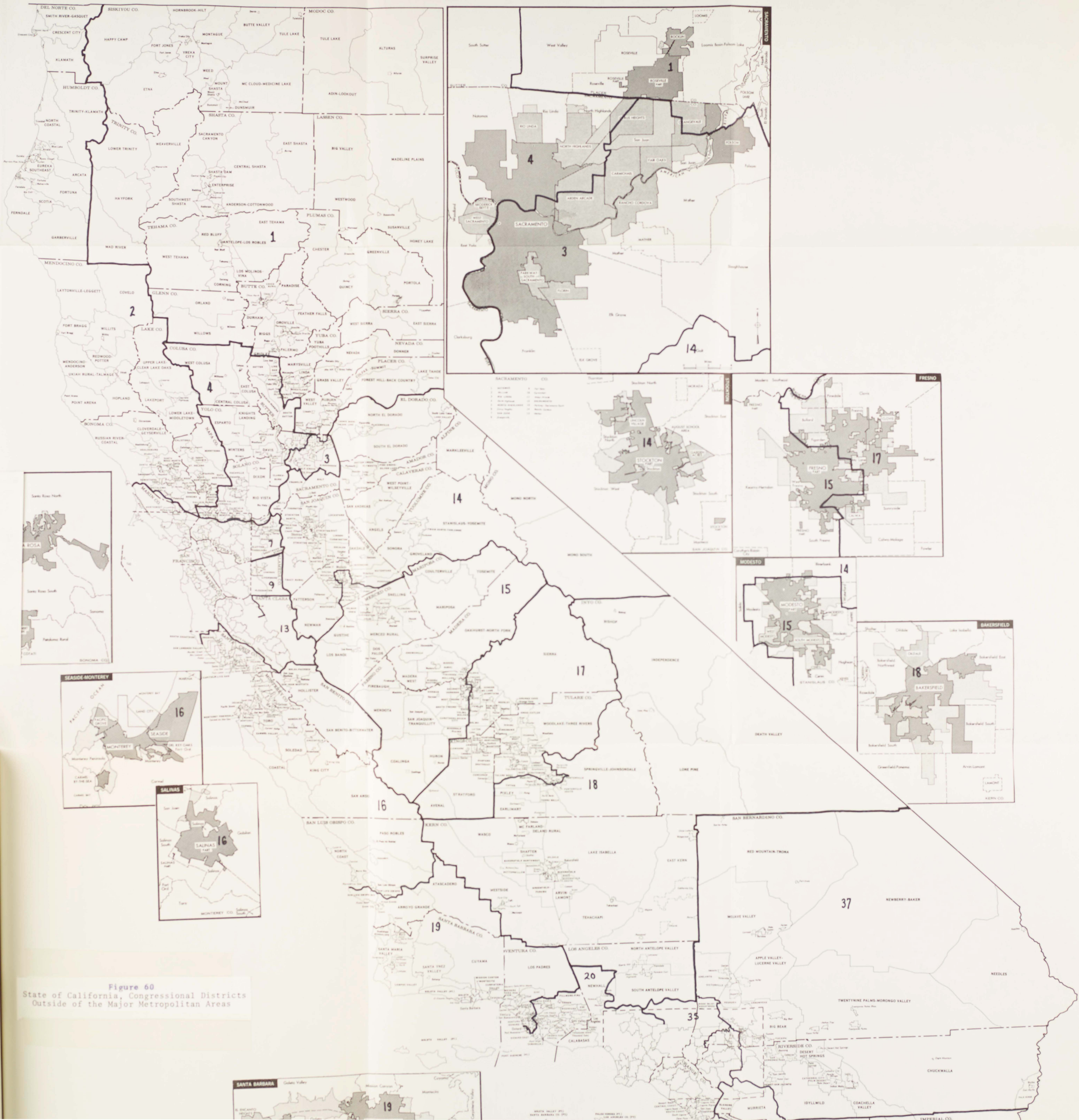


Figure 60
State of California, Congressional Districts
Outside of the Major Metropolitan Areas

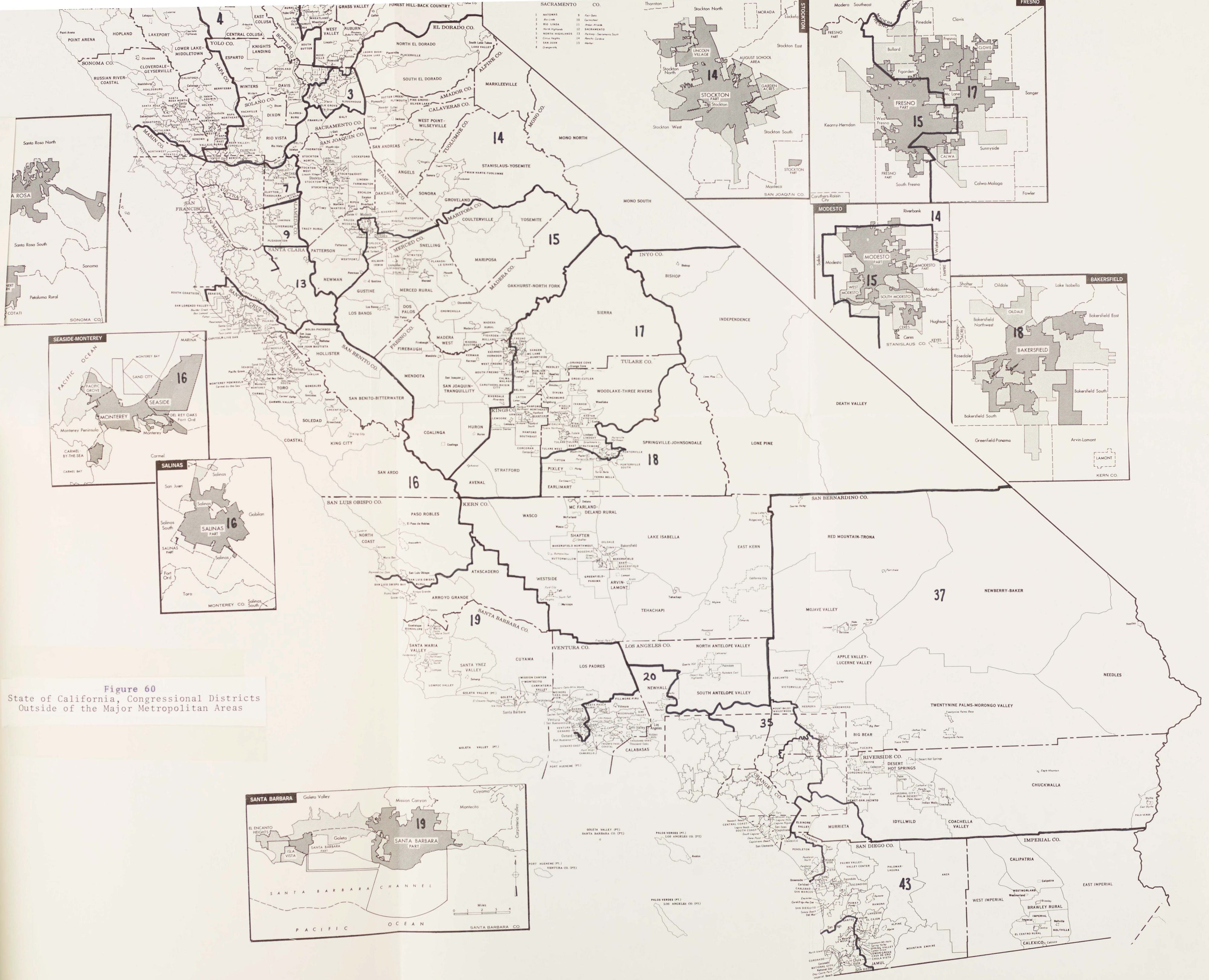


Figure 60
State of California, Congressional Districts
Outside of the Major Metropolitan Areas

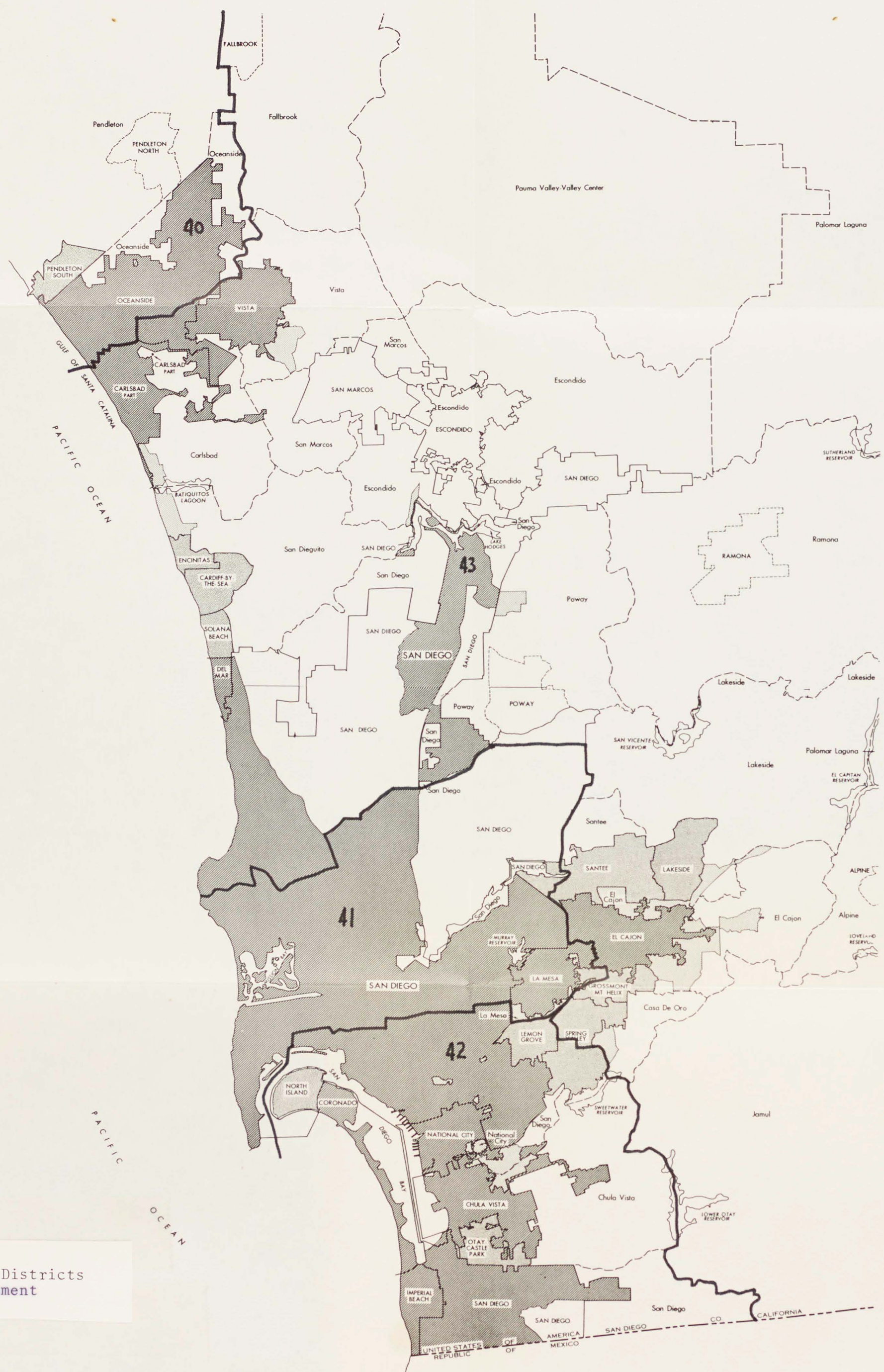


Figure 61
San Diego County Congressional Districts
After the 1973 Reapportionment

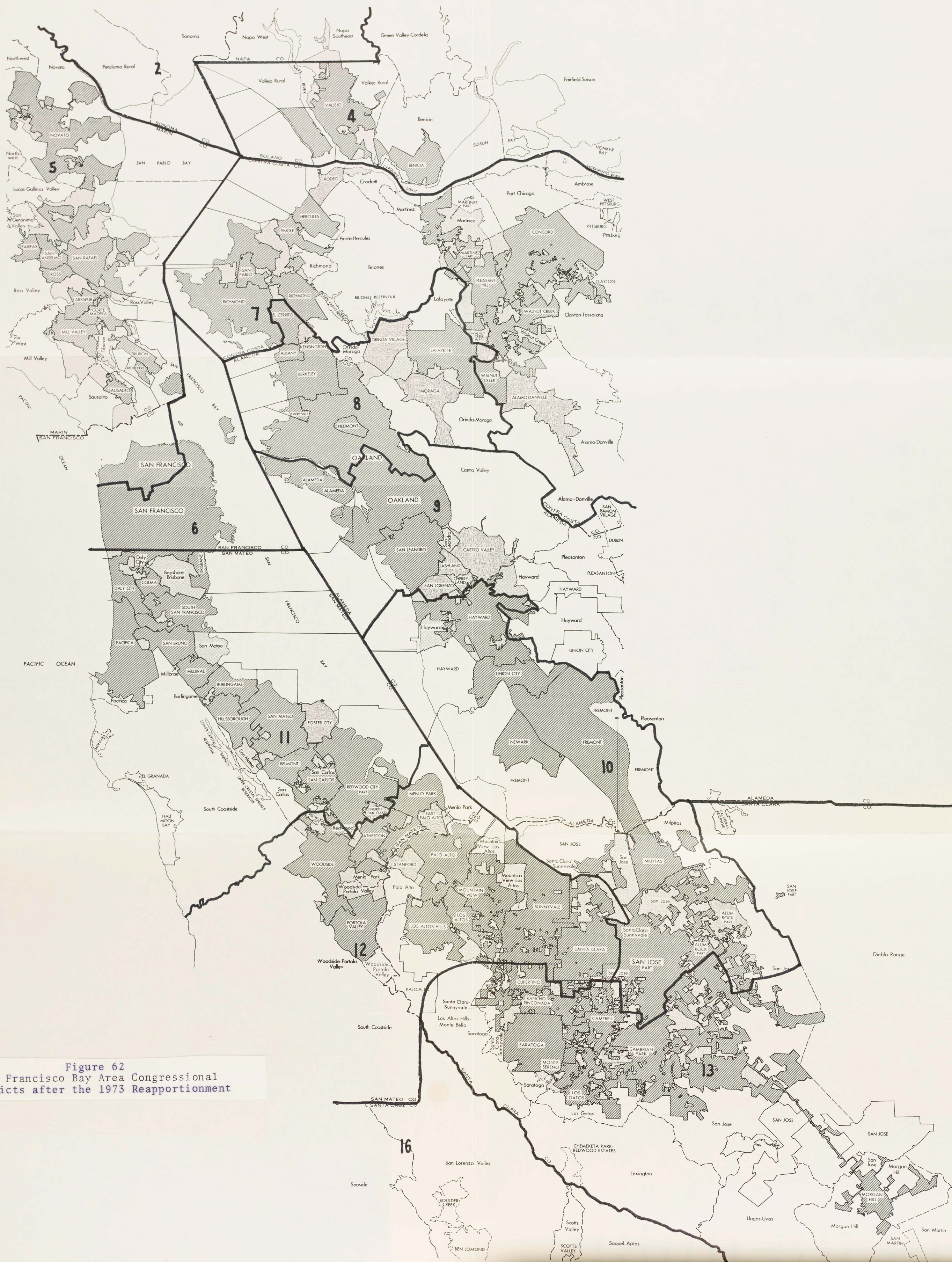


Figure 62
San Francisco Bay Area Congressional
Districts after the 1973 Reapportionment

APPENDIX A

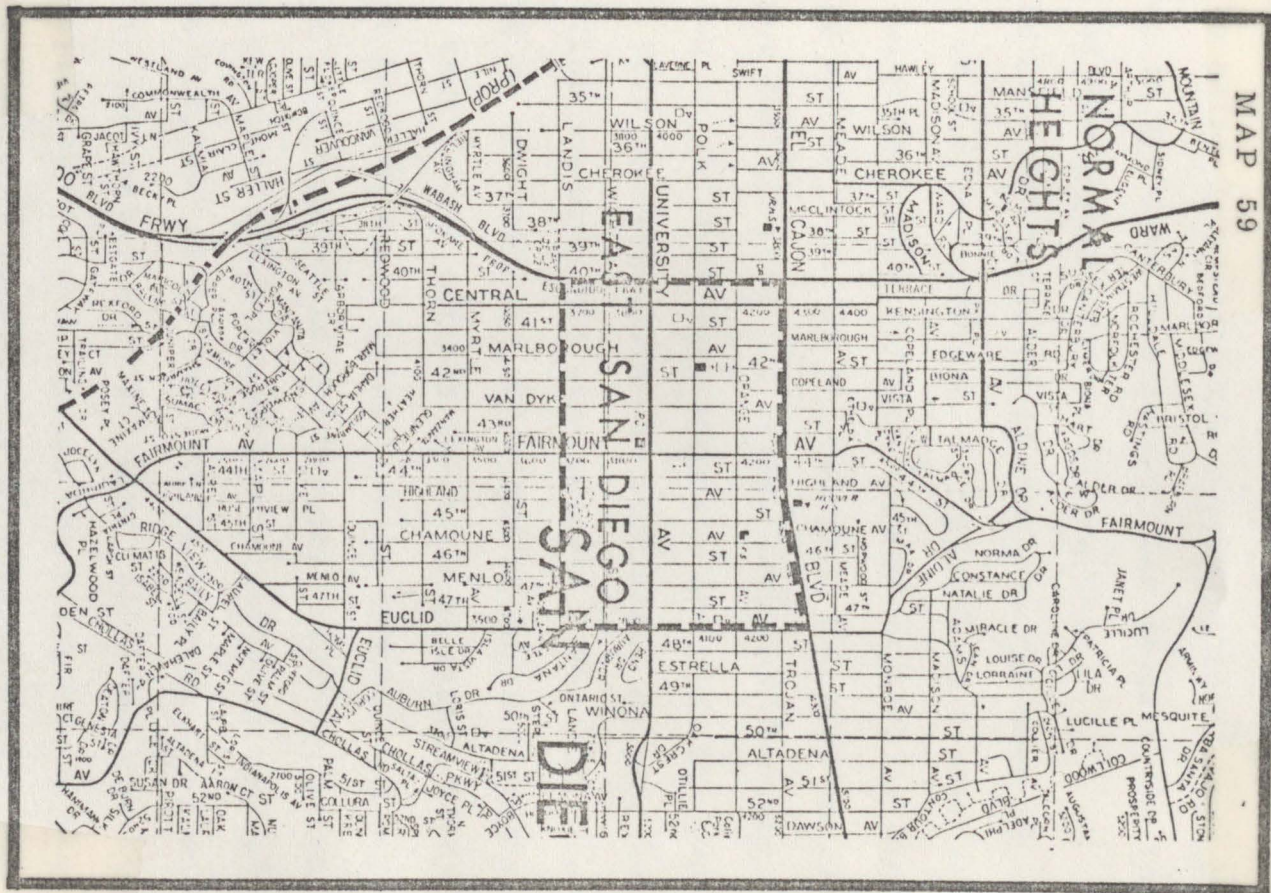
The Republican Computer System designed for the 1971 reapportionment was extremely map oriented. An indication of this fact is the complete set of base maps created by the Republicans for this system. Each record in their data base contained a geographic identifier consisting of a map number, an X coordinate, and a Y coordinate. With this identifier data could be displayed on colored plots, or districts or portions of districts could be input into the computer by means of a digitizer.

A digitizer is a device similar to a drafting machine. It has vertical arm, along which a plastic crosshair moves. The vertical arm moves horizontally along the top of the digitizer table upon which the map to be digitized has been placed. The digitizer has two mechanical incoding devices which measure the vertical movement of the crosshairs and the horizontal movement of the arm. These measurements are transmitted to the computer which keeps track of all movements from the beginning of each run. The computer must be "reset" at the beginning of each run.

Following the instructions of the computer program, as typed out on the console teletype, the user would mount the map containing the area he wished to examine (see figure 63).

Figure 63

Typical Digitizer Input Map



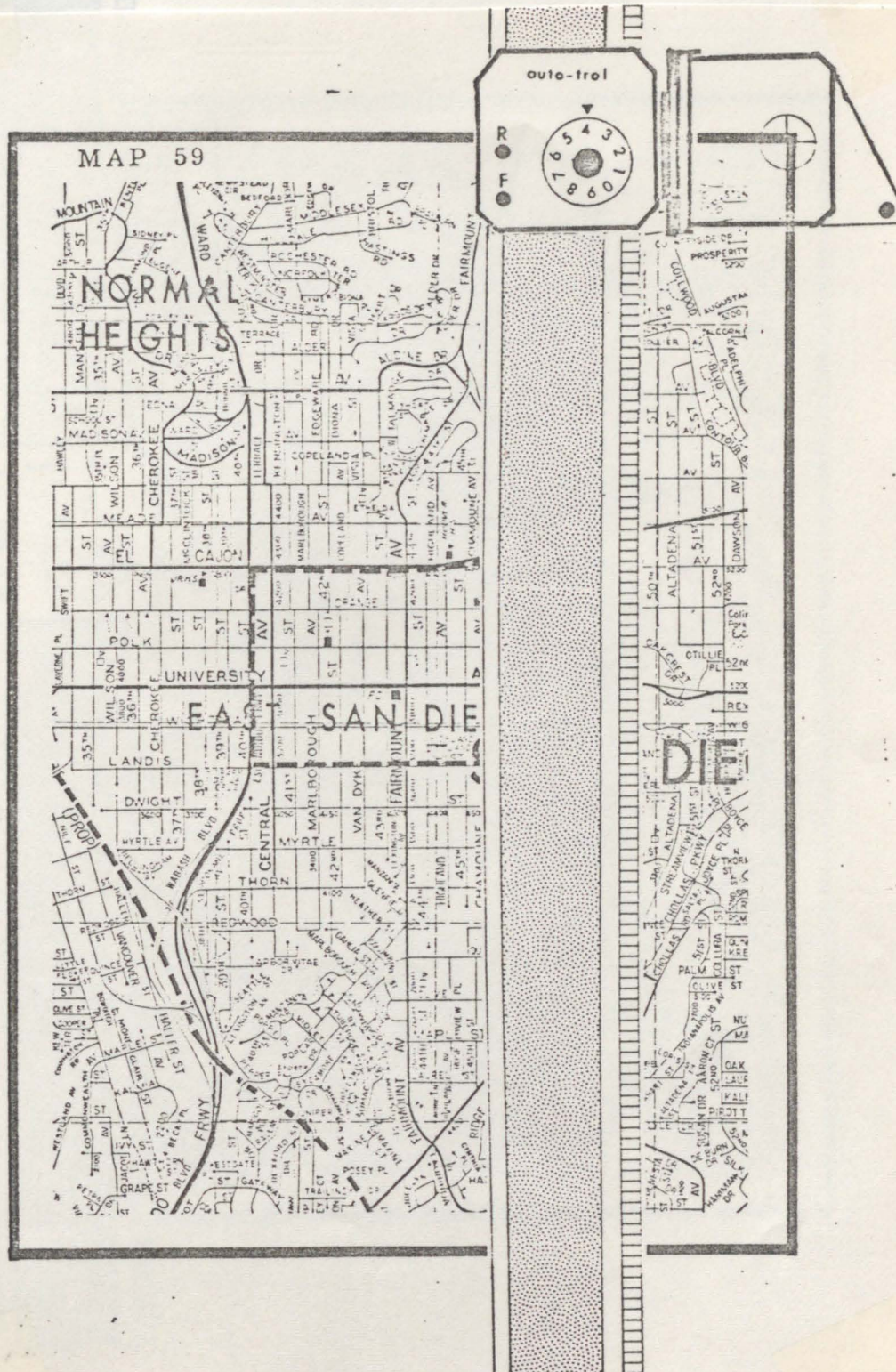
Having mounted the map, the user would type in the number of the map so that the computer would know which set of records to access in the data base. The computer program would then request the user to move the crosshairs to the origin of the map (the point from which the x-y coordinates were based on each map in the data base record) and to push the input button of the digitizer (see figure 64).

The user was expected to consider the area of examination to be a closed polygon. A polygon is a many sided figure with each side defined by a straight line segment. Starting at any point on the polygon, the user would push the input button, move the stylus with the crosshairs to the beginning of the next line segment, and push the input button again. This process would continue until all the beginnings of all line segments had been entered. The user would then indicate to the computer, by means of pushing another input button, that he had defined the area of examination. The computer program would automatically connect the beginning of the last line segment to the original starting point on the polygon to close the polygon (see figures 65 through 67).

The computer would then search through the data associated with that map and would "find" all those precincts and census tracts which were inside the polygon. It would then produce summaries as directed by interface with the user.

Figure 64

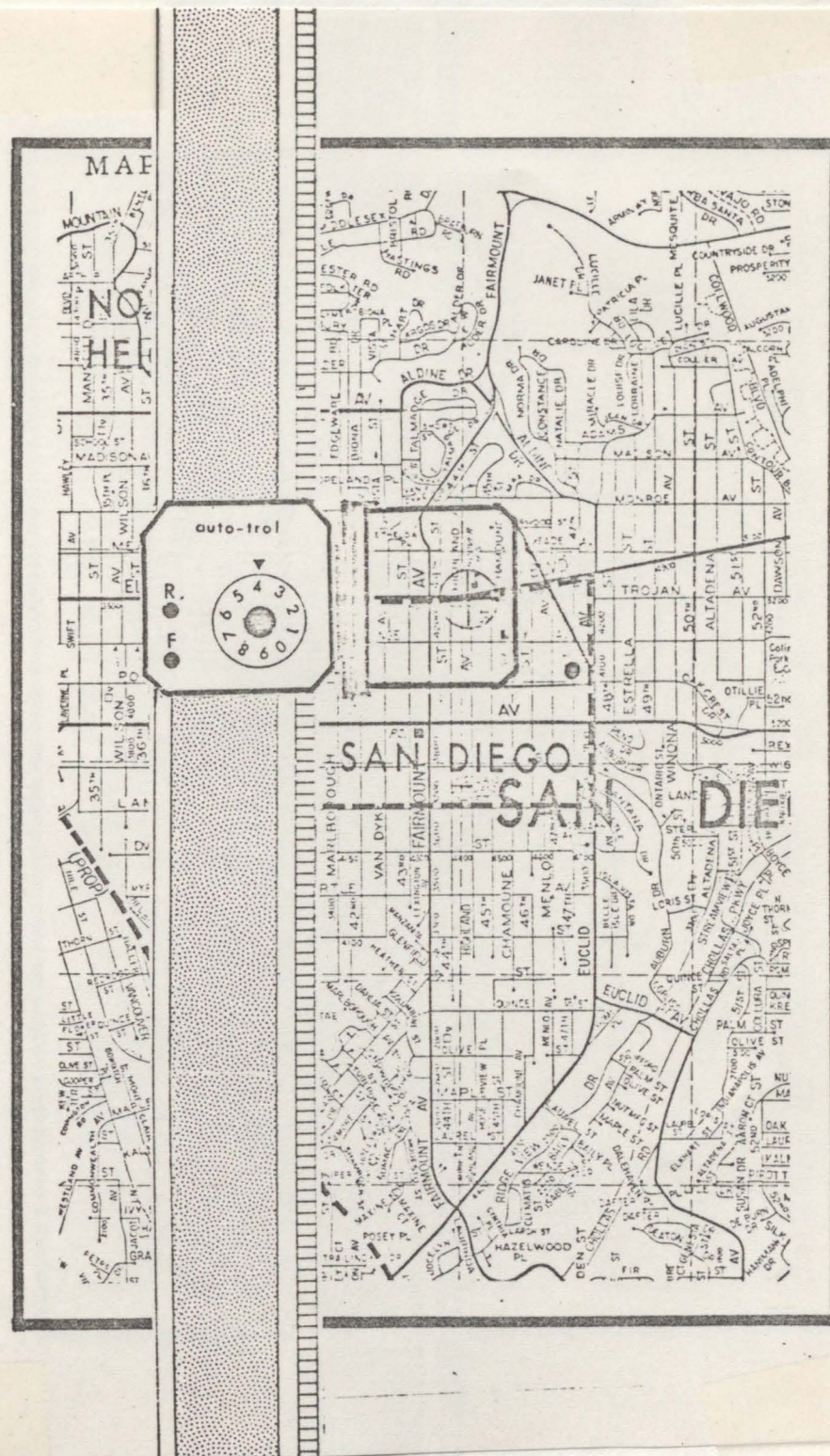
Stylus with Crosshairs at Origin for First Input



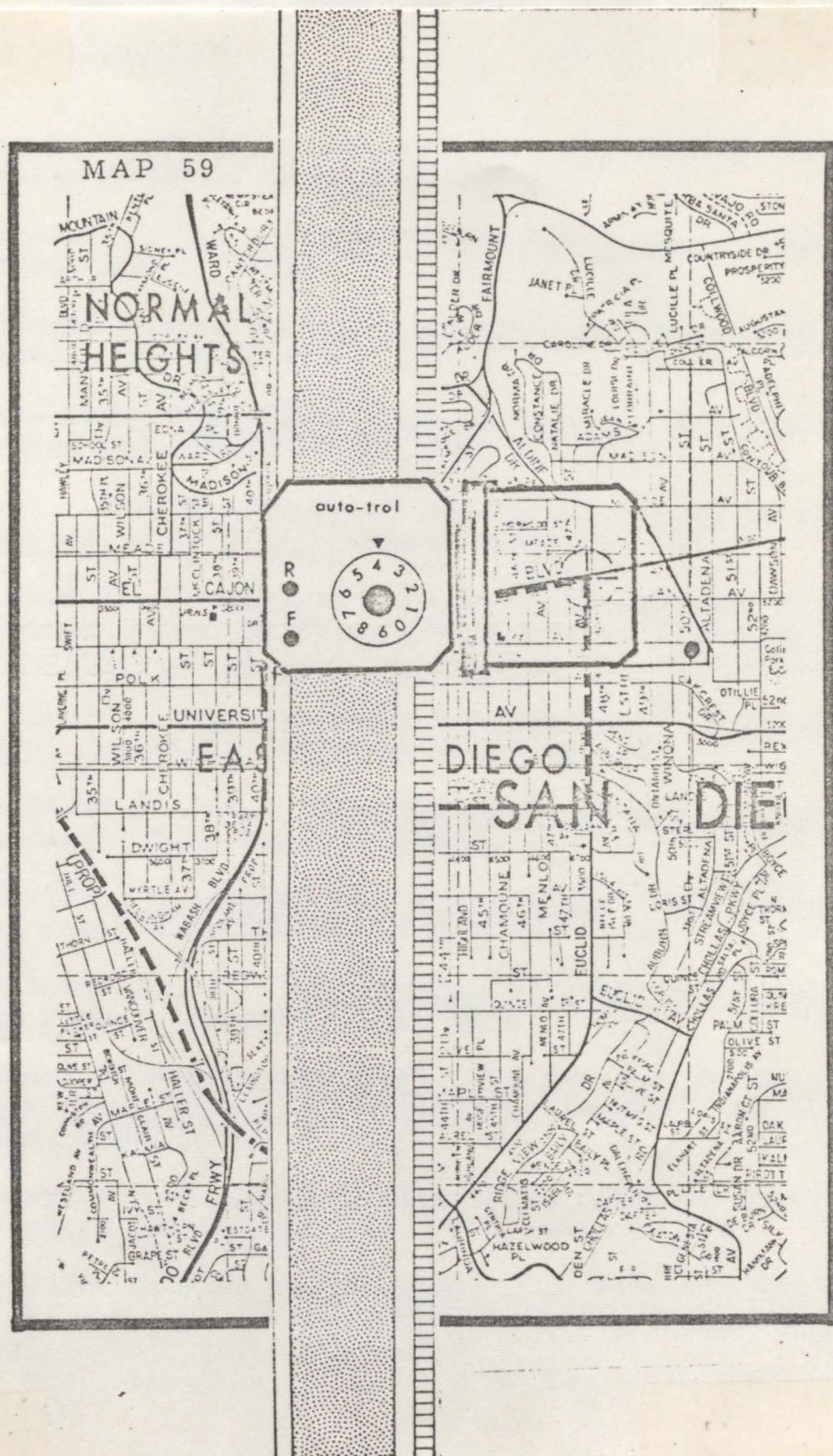
[illegible]

Figure 66

Stylus at Beginning of Second Line Segment of Polygon



Stylus at Beginning of Third Line Segment of Polygon



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