

For redistricting commissioners, what's a conflict of interest?

By Timm Herdt

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In the spring of 2010, when he applied to become a member of the California Citizens Redistricting Commission, Gabino Aguirre of Santa Paula described himself as a "community activist" who had been an "advocate for a variety of causes."

Aguirre survived the rigorous screening process conducted by the State Auditor's Office and was ultimately chosen as one of 14 commissioners selected from a pool that originally included 25,000 applicants.

Now, with the commission poised to adopt political district maps that are certain to displease many Californians, Aguirre, one of five Democrats on the panel, has become the subject of sharp attacks from Republican Party leaders who accuse him of being a community activist who has been an advocate for a variety of causes.

The attacks raise anew questions that the State Auditor Elaine Howle struggled with in 2009 as she developed guidelines and regulations for the selection of commissioners, a task with which she was charged under Proposition 11, the initiative that created the independent redistricting process.

Kim Alexander, president and founder of the nonpartisan California Voter Foundation, said she believes the auditor "struck the right balance" in disqualifying those whose political connections were so strong as to make them potentially beholden to a particular party or politician while at the same time keeping the process open to those who had been engaged in civic activities.

"No one involved in crafting this commission expected you to have applicants who had zero political involvement in their history," she said.

Indeed, a review of applications reveals a history of civic and political activism on the part of several commissioners. Some examples:

- Jodie Filkins Webber of Norco is a member of the Corona Norco Republican Women, and has engaged in voter registration and fundraising activities organized by the group.

- Maria Blanco of Los Angeles, a Democrat, was counsel to the Mexican American Legal Defense and Educational Fund when it filed suit against the 2000 redistricting plan, alleging that it deprived fair representation to Latinos in the San Fernando Valley.

- Gil Otani was a member of the San Diego Planning Commission, appointed by a

Republican mayor.

- Peter Yao of Claremont, a Republican and former City Council member, served on three Asian caucuses of organizations for local elected officials "because I found that Asians were poorly represented at all levels of government."

There are parallels in all the above examples to the charges leveled against Aguirre: that he had the support of a Democratic elected official (Supervisor Kathy Long), that he had a history of advocating for increased political representation for a particular ethnic group (Latinos) and that he was associated with a civic group that took an active role in redistricting (CAUSE).

In a post this week on the influential conservative blog FlashReport.org, former state GOP Chairman Shawn Steel called for Aguirre's resignation and wrote that revelations about his activism undermine "any remaining shreds of public trust in the whole commission."

Shawn cites a report written by GOP operative John Hrabe — the former communications director for Steel's wife, Michelle, a member of the Board of Equalization — that he refers to as "a bombshell."

The report, titled "Gabino Aguirre's Secret Political Past," largely restates information that Aguirre self-reported in his application and to the state auditor's examiners during the application process. They include such details as the fact that Aguirre hosted a campaign fundraiser for a Democratic Assembly candidate, was a founding member of the local Latino advocacy group El Concilio del Condado de Ventura, and was until recently a member of the advisory board of Central Coast Alliance United for a Sustainable Economy, or CAUSE.

Both are nonprofit organizations that advocate for low-income residents.

Hrabe's report also discloses additional political contributions from Aguirre to Democratic candidates, two for \$100 and one for \$200, which had not previously been reported. The auditor's form required applicants to disclose only contributions to civic, charitable or political causes of more than \$250.

Hrabe's report did not examine the activities of any other commission members. Trudy Schafer of the California League of Women Voters, one of the groups that sponsored Proposition 11, said the issue of campaign contributions was carefully considered in drafting the initiative. It disqualifies any person who has given more than \$2,000 to a political candidate.

"It was intended to divide the big-money political players from people who are simply active in their communities," Schafer said. "The proposition expected that concerned, active citizens would apply. The accusations I'm hearing don't indicate that this person has violated any of the conflict-of-interest rules."

Ventura County Republican Party Chairman Mike Osborn said he is "troubled" by the report on Aguirre's activities, and believes there is circumstantial evidence that the proposed maps covering Ventura County may have been politically influenced.

For instance, the map for a congressional district that covers most of Ventura County

includes a boundary that falls just short of the home of incumbent Congressman Elton Gallegly, R-Simi Valley.

"You look at the dimples around Elton's house. I'm not saying there's a connection, but it looks curious," said Osborn, adding he believes Aguirre has been "intimately involved" in drawing the maps for Ventura County. "It's suspect."

Osborn said he's trying to stay out of the controversy, but suggested Aguirre should be more sensitive to avoiding the appearance of conflict.

"If you're going to become involved in something like this, you open yourself up to scrutiny beyond what mortal men might expect."

The local organizations cited in Hrabe's report are long-established civic groups.

El Concilio, which sponsors such programs as youth leadership development, prevention of teenage pregnancies and adult literacy classes, has on its board of directors representatives of a number of blue-chip firms, including Wells Fargo Bank, Citibank, Verizon and Southern California Edison. Ventura County Star Publisher George Cogswell, III also serves on the board.

Former Port Hueneme City Councilman Murray Rosenbluth, a founding member of the CAUSE board, said criticism of Aguirre's involvement with the group is unjustified.

"It's a whole bunch of 'so-what,'" Rosenbluth said of the report.

Rosenbluth said CAUSE's involvement with redistricting — the group submitted its own set of proposed maps to the commission — is consistent with its mission of promoting economic, social and environmental justice for everyone in the community.

"People of lower economic status represent a community of interest," he said.

"CAUSE has taken on this role to ensure that particular community of interest, which is not usually represented, does have a voice in the process."

The original version of this story incorrectly identified John Hrabe.

