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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 MITCH NOYES, HOLDEN LOMELI,
16 and ANTHONY MCBROOM,

17 Plaintiffs,

18 vs.

19 GAVIN NEWSOM, in his official capacity
as Governor of California; and SHIRLEY
20 WEBER in her official capacity as
California Secretary of State,

21 Defendants.
22
23

) Case No.: 2:25-cv-11480-JLS-WLH-
KKL

) **FIRST AMENDED COMPLAINT
FOR DECLARATORY,
INJUNCTIVE, OR OTHER RELIEF**

) **ACTION SEEKING STATEWIDE
RELIEF**

) Hon. Josephine L. Staton
Hon. Kenneth K. Lee
Hon. Wesley L. Hsu
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FIRST AMENDED COMPLAINT

Plaintiffs bring this complaint against the California Governor and Secretary of State (“California”), in their official capacities, seeking declaratory and injunctive relief. Plaintiffs rely on John Morgan’s Expert Report (*Exh. 1*), John Morgan’s Supplemental report (*Exh. 2*), John Morgan’s Illustrative Map (*Exh. 3*), and John Morgan’s Supplemental Report Annex (*Exh. 4*).

INTRODUCTION

1. The Proposition 50 congressional map was drawn with illegal racial intent and with illegal racial considerations in violation of the Fifteenth Amendment.

2. California’s 2025 congressional map unconstitutionally draws racial districts in violation of Plaintiffs’ civil rights protected by the Fifteenth Amendment to the United States Constitution (“Fifteenth Amendment”) and Section 2(a) of the Voting Rights Act of 1965 (“Voting Rights Act”).

3. The Fifteenth Amendment states: “[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” U.S. CONST. amend. XV. California’s 2025 congressional map violates this prohibition.

4. The Voting Rights Act forbids enforcing election procedures enacted with a racial intent or that results in a denial, or abridgment, of the right of any citizen of the United States to vote on account of race. 52 U.S.C. § 10101(a). Drawing district lines to preserve deliberate racial percentages, racial majorities absent a remedial map under the Voting Rights Act, or the deliberate preservation of racial influence districts violates the Constitution and the Voting Rights Act.

5. By intentionally distorting district boundaries along racial lines to preserve a specific number of Hispanic majority districts and two Black influence districts, California violated the Fifteenth Amendment and Voting Rights Act. *See* U.S. CONST., amend. XV, § 1; 52 U.S.C. § 10101(a); *see also Shaw v. Reno*, 509 U.S. 630, 657 (1993) (“[r]acial gerry-mandering ... may balkanize us into competing

1 racial factions; it threatens to carry us further from the goal of a political system in
2 which race no longer matters”).

3 6. Plaintiffs are California residents and voters who were injured when
4 Proposition 50 deliberately enacted district boundaries through racial means and with
5 racial purposes. Plaintiffs will continue to suffer this injury while this electoral map is
6 in place. This injury can only be redressed by this Court finding the map to be a
7 violation of their civil rights. Plaintiffs seek an injunction prohibiting California from
8 using the Proposition 50 map, appropriate damages, and attorneys’ fees, expert fees,
9 including litigation expenses and costs, pursuant to 52 U.S.C § 10310(e) and 42
10 U.S.C. § 1988.

11 **JURISDICTION AND VENUE**

12 7. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§
13 1331 and 1343. This action alleges violations of the United States Constitution and
14 federal civil rights laws, affording jurisdiction under 42 U.S.C. § 1983.

15 8. This Court has jurisdiction to grant declaratory relief pursuant to 28
16 U.S.C. §§ 2201(a) and 2202.

17 9. This Court is the appropriate venue under 28 U.S.C. § 1391(b)(2)
18 because California performed a substantial part of the events or omissions giving rise
19 to this claim within this district.

20 **PARTIES**

21 10. Plaintiff Mitch Noyes is a California resident and is registered to vote in
22 California. Under the challenged map, he is assigned to a district drawn with racial
23 intent.

24 11. Plaintiff Holden Lomeli is a California resident and is registered to vote
25 in California. Under the challenged map, he is assigned to a district drawn with racial
26 intent.

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1 12. Plaintiff Anthony McBroom is a California resident and is registered to
2 vote in California. Under the challenged map, he is assigned to a district drawn with
3 racial intent.

4 13. Defendant Gavin Newsom is a party to this action due to his official
5 capacity as California Governor. *See* Cal. Const. Art. V, § 1 (mandating the Governor
6 ensure “that the law is faithfully executed”).

7 14. Defendant Shirley Weber is a party to this action due to her official
8 capacity as California Secretary of State. She is the chief elections officer responsible
9 for implementing Proposition 50’s map.

10 **STANDING**

11 15. Plaintiffs are registered voters who have voted in past elections and
12 intend to vote in California’s 2026, 2028, and 2030 congressional elections.
13 Proposition 50 places Plaintiffs in racially engineered districts. *See North Carolina v.*
14 *Covington*, 585 U.S. 969, 978 (2018) (plaintiffs can establish a cognizable injury if
15 they have “been placed in their legislative district on the basis of race” and the district
16 court’s remedy is to ensure plaintiffs are relieved of the burden of voting in a racially
17 gerrymandered district); *Shaw v. Reno*, 509 U.S. 630, 650 (1993); *see also Miller v.*
18 *Johnson*, 515 U.S. 900, 911 (1995) (explaining that just as the state may not segregate
19 citizens, on the basis of race, from public parks, buses, golf courses, beaches, and
20 schools, it may not separate its citizens into different voting districts on the basis of
21 race).

22 16. Because the congressional map implemented under Proposition 50 was
23 drawn with racial intent, Plaintiffs suffered a constitutional injury. *See Cath. League*
24 *for Religious and Civ. Rts. v. City & Cnty. of San Francisco*, 624 F.3d 1043, 1052
25 (9th Cir. 2010) (*en banc*) (“[t]he cause of the plaintiffs’ injury here is not speculative:
26 it is the resolution itself”). “[T]he Fifteenth Amendment applies with equal force
27 regardless of the particular racial group targeted by the challenged law.” *Davis v.*
28 *Guam*, 932 F.3d 822, 832 (9th Cir. 2019).

1 **FACTUAL AND LEGAL ALLEGATIONS**

2 **Proposition 50’s Enactment**

3 17. The Constitution requires states to periodically redistrict. *See* U.S.
4 CONST. art. I, § 2. This process ensures that congressional representatives are
5 distributed relative to the current population. *See Wesberry v. Sanders*, 376 U.S. 1, 8
6 (1964) (“one man’s vote in a congressional election is to be worth as much as
7 another’s”).

8 18. California’s Independent Citizens Redistricting Commission
9 implemented a decennial redistricting map following the 2020 Census.

10 19. In July 2025, California’s Democrat-led legislature ordered a new
11 congressional map. *See* Yes on Prop 50: FAQ, CADEM (Nov. 11, 2025),
12 <https://cadem.org/yes-on-proposition-50-faq/>.

13 20. In early July 2025, Paul Mitchell met with members of the California
14 Legislature. On July 2, 2025, Paul Mitchel met with Speaker of the California
15 Assembly Robert Rivas’ Chief of Staff Steve Omara.

16 21. The Democratic Congressional Campaign Committee retained Paul
17 Mitchell from Sacramento-based Redistricting Partners to draw a new congressional
18 map, which was submitted to the California Legislature on August 15, 2025. *See*
19 Proposed Congressional Map, California State Assembly Committee on Elections
20 (Nov. 11, 2025), <https://aelc.assembly.ca.gov/proposed-congressional-map>. The
21 California Legislature passed the legislation package that included Mitchell’s map,
22 which became the “Proposition 50 map.”

23 22. In an interview, Paul Mitchell admitted to drawing district lines with
24 intentional racial goals. When asked about his decision to place new districts in Los
25 Angeles despite net population loss in the city, Paul Mitchell stated: “we’ve actually
26 gained Latino population, so why would you remove districts from a Latino
27 community that has been historic and has a lot of community of interest arguments in
28 that district. Why take that out when you can just leave it there and let all of the

1 districts in LA push out over the county area.” Rich Ehisen (Host). (2025, August
2 15). *Mapmaker Paul Mitchell on California’s emergency redistricting proposal*
3 [Audio podcast episode 421]. Capitol Weekly. [https://capitolweekly.net/mapmaker-](https://capitolweekly.net/mapmaker-paul-mitchell-on-californias-emergency-redistricting-proposal/)
4 [paul-mitchell-on-californias-emergency-redistricting-proposal/](https://capitolweekly.net/mapmaker-paul-mitchell-on-californias-emergency-redistricting-proposal/).

5 23. In August 2025, Governor Newsom announced a legislative package that
6 would replace the 2024 map with five more non-competitive Democrat congressional
7 districts. *See* Governor Gavin Newsom, Governor Newsom launches statewide
8 response to Trump rigging Texas’ elections, (Nov. 11, 2025),
9 [https://www.gov.ca.gov/2025/08/14/governor-newsom-launches-statewide-response-](https://www.gov.ca.gov/2025/08/14/governor-newsom-launches-statewide-response-to-trump-rigging-texas-elections/)
10 [to-trump-rigging-texas-elections/](https://www.gov.ca.gov/2025/08/14/governor-newsom-launches-statewide-response-to-trump-rigging-texas-elections/). This legislative package consisted of ACA 8—a
11 constitutional amendment authorizing the new legislature-enacted congressional map,
12 AB 604—the statute detailing the new congressional district boundaries, and SB
13 280—the bill calling for a special election for the new amendment. *See* Proposed
14 Congressional Map, California State Assembly Committee on Elections (Nov. 11,
15 2025), <https://aelc.assembly.ca.gov/proposed-congressional-map>.

16 24. On August 18, 2025, the California legislature returned from summer
17 recess. The legislative package that became Proposition 50 underwent its first reading
18 that same day. The legislative package was then debated by the Senate Elections and
19 Constitutional Amendments Committees on August 19, 2025, and passed by the
20 Assembly and Senate Floor Sessions on August 21, 2025. *See* ACA-8 Congressional
21 Redistricting, California Legislative Information (Nov. 25, 2025),
22 [https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202520260AC](https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202520260ACA8)
23 [A8](https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202520260ACA8). Due to the compressed timeline, Senator David Tangipa noted in his opposition
24 to ACA 8’s passage that he did not have the opportunity to read the bill. In response,
25 the bill’s co-author, Senator Marc Berman, stated that he knew the general content
26 and trusted the people who drafted ACA 8. *See* August 19, 2025 Hearing, California
27 State Assembly Committee on Elections (Nov. 11, 2025),
28 <https://www.assembly.ca.gov/media/assembly-elections-committee-20250819>.

1 25. On November 4, 2025, Proposition 50 was passed in a special election
2 by California voters, receiving 7,428,420 affirmative votes. See Proposition 50
3 Congressional Redistricting, California Statewide Special Election,
4 <https://electionresults.sos.ca.gov/returns/maps/ballot-measures/prop/50> (last visited
5 November 21, 2025).

6 **Statements of Racial Intent**

7 26. This Court’s order denying a preliminary injunction in *Tangipa v.*
8 *Newsom* (Case No. 2:25-cv-10616) cites numerous admissions, legislative debate
9 statements, and legislative press releases indicating that a racial outcome motivated
10 the drawing of Proposition 50’s lines. This evidence that this Court deemed to be
11 preliminary or peripheral to the voter’s intent reflects racial motives by Paul Mitchell
12 and the California legislature. See *Cooper v. Harris*, 581 U.S. 285, 318 (2017)
13 (direct evidence of legislative intent includes statements of legislators going to the
14 legislative purpose). To advance support for Proposition 50 to ameliorate Texas’
15 redistricting, legislative statements include:

- 16 • Assemblyman Isaac Bryan stated that the Republican-led states were
17 redrawing their congressional districts “with the explicit aim of diluting
18 Black and Brown representation and power.” *Tangipa*, ECF No. 216,
19 “*Order Denying Plaintiffs’ Motion for Preliminary Injunction*,” at 25
20 (citing CA Assembly Appropriations Comm. Tr., Ex. 7 at 681, Doc.
21 188-9). He also said, “a Latino voice in Texas is worth one third of the
22 representation as a white voice. A Black voter in Texas is worth one
23 fifth of the representation of a white voter in Texas. I didn’t say three
24 fifths. There was no compromise. I said one fifth. That is the kind of
25 gerrymandering, that is the kind of theft that they are perpetuating. And
26 we can’t just sit by and let it happen.” *Id.* at 26, n. 10 (citing CA
27 Assembly Floor Tr. at 1071).

- 1 • Assemblyman Mark Gonzalez promoted Proposition 50 as a shield
2 against the racist maps created by the Republican states. *Id.* at 26 (citing
3 CA Assembly Floor Tr. at 1062). Mr. Gonzalez also stated, “[t]his is
4 about whether a Latino child in Texas, a Black family in Florida, or an
5 immigration community in California has a voice in their own
6 democracy.” *Id.* at 26, n. 10 (citing CA Assembly Floor Tr. at 1062).
- 7 • Assemblyman Mike Gibson stated, “it’s about the next generation that
8 we may not even have any Black people serving in office to have
9 representation. It’s about ten African American members of Congress
10 that could be wiped away in Congress if we don’t stand up and be
11 counted.” *Id.* (citing CA Assembly Floor Tr. at 1075).
- 12 • Senator Sabrina Cervantes, the author of Senate Bill 280, stated, “they
13 want to silence the voices of Latino voters, Black voters, API voters,
14 and LGBTQ voters.” *Id.* (citing CA Assembly Elections Comm. Tr., Ex.
15 5 at 341, Doc. 188-9).
- 16 • Senator Lola Smallwood-Cuevas stated, “in Texas, what this looks like
17 is that Black Texans will lose much of their power, being reduced to
18 about a fifth of what their power was before this gross attack.” *Id.* at 26.
19 (citing CA Senate Tr. at 909). She also said, “Texas once saw Black
20 political power rise during reconstruction, as it had across much of the
21 country, only to be stripped away by the Black codes, and Jim Crow,
22 and racial terror, poll taxes, white-only primaries that cut Black voter
23 rolls in Texas from over 10,000 to just a few thousand.” *Id.* (citing CA
24 Senate Tr. at 910-11).
- 25 • Senate pro tempore Mike McGuire said that Proposition 50 “makes no
26 changes to historic Black districts in Oakland and the Los Angeles area
27 and retains and expands Voting Rights Act districts that empower
28 Latino voters to elect their candidates of choice.” *Id.* at 27 (citing

1 McGuire Press Release from August 19, 2025, Ex. 21 at 1491-92, Doc.
2 188-9).

- 3 • Senate Majority Leder Lena Gonzalez asked her opposition colleague,
4 “why have you remained silent during this egregious overreach when
5 Latino communities across California have been kidnapped?” *Id.* at 91
6 (Lee, J. dissenting) (citing Senate Floor Debate, Aug. 21, 2025, Ex. 8 at
7 99).
- 8 • The Speaker of the Assembly Robert Rivas issued a press release
9 asserting that the Proposition 50 map “retains both historic Black
10 districts and Latino-majority districts.” *Id.* at 28 (citing *Tangipa* Ex. 20,
11 at 1).
- 12 • Senator Aisha Wahab described the Voting Rights Act as “mandating
13 that voters of color be placed in districts with more opportunity to select
14 their preferred candidates.” *Id.* at 92 (Lee, J. dissenting) (citing Senate
15 Floor Debate, Aug. 21, 2025, Ex. 8 at 172).

16 This Court’s opinion in *Tangipa* is similarly littered with statements by Paul Mitchell,
17 indicating an expressed intent to sort populations to maximize the power of Latino
18 Californians. This includes:

- 19 • In a Hispanics Organized for Policial Equity (HOPE) Presentation, he
20 stated, “the Proposition 50 maps I think will be great for the Latino
21 community” as “they ensure that the Latino districts” are “bolstered in
22 order to make them most effective, particularly in the Central Valley. *Id.*
23 at 41 (citing Atlas of Prop. 50 Maps, Ex. 190).
- 24 • Paul Mitchell also stated that the “number one thing” that he “started
25 thinking about” was creating a “[replacement] Latino majority” district
26 in Los Angeles. *Id.* at 42, n. 17 (citing HOPE Presentation at 1376-77).
- 27 • In his HOPE presentation, Paul Mitchell identified “Latino-influenced”
28 districts and highlighted the importance of “support[ing] and do[ing]

1 turnout there for Latinos to protect a Latino member of Congress in a
2 district that is still a Latino-influenced district but is no longer a
3 majority-minority district.” *Id.* at 84 (Lee, J. dissenting) (citing Paul
4 Mitchell statement on HOPE Zoom meeting, Ex. 11, at 29).

- 5 • On X/Twitter, Paul Mitchell stated that the “proposed Proposition 50
6 map will further increase Latino voting power” and “adds on more
7 Latino influence district.” *Id.* at 71 (Lee, J., dissenting) (citing *Tangipa*
8 Ex. 14).
- 9 • Redistricting Partners provided an atlas of district maps to the legislators
10 providing census population tables and CVAP in each district broken
11 down by race, as well as bar graphs of each district’s racial composition.
12 No political affiliation associated with any racial group was included. *Id.*
13 at 93 (Lee, J. dissenting) (citing *Tangipa* Ex. 190).

14 **Application of Race Based Redistricting Lines**

15 27. While Proposition 50 will likely reduce California’s Republican
16 delegation from nine to four members, these new district lines were drawn with racial
17 goals and using racial means. The map deliberately preserved California’s sixteen
18 Hispanic majority districts by narrowing the margin of Hispanic population in all but
19 District 44. *See Exh. 1*, “Declaration of John Morgan,” at 3-4, ¶ 10.

20 28. These new districts also intentionally maintained Black racial
21 representation and influence in two non-Hispanic majority districts. *See Exh. 1*, at 3-
22 4, ¶ 10. This enabled racial groups to maintain a narrow majority in these two
23 districts. *See Exh. 1*, at 4, ¶ 11.

24 29. California’s racially motivated and racially drawn districts violate the
25 Fifteenth Amendment’s prohibition of state action for which **any** racially
26 discriminatory intent or racial means are used, even to gain political or partisan
27 advantage. *See U.S. CONST. amend. XV*. The intent standard of the Fifteenth
28 Amendment is violated by actions taken with the intent of effectuating a racial

1 outcome or using race as a tool to accomplish a particular aim. *See e.g., Garza v.*
2 *Cnty. of Los Angeles*, 918 F.2d 763, 778 (9th Cir. 1990) (Kozinski, J., concurring and
3 dissenting in part). Under the Fifteenth Amendment, “all citizens, regardless of race,
4 have an interest in selecting officials who make policies on their behalf.” *Rice v.*
5 *Cayetano*, 528 U.S. 495, 523 (2000) (holding that, under the Fifteenth Amendment,
6 “voters are treated not as members of a distinct race but as members of the whole
7 citizenry”).

8 30. Defendants are constitutionally prohibited from intentionally racially
9 discriminating against “voters in elections to determine public governmental policies
10 or to select public officials, national, state, or local.” *Terry v. Adams*, 345 U.S. 461,
11 467 (1953); *see also Rice v. Cayetano*, 528 U.S. 495, 512 (2000) (the Fifteenth
12 Amendment “grants protection to all persons, not just members of a particular race”).
13 This “prohibition on race-based voting restrictions is both fundamental and absolute.”
14 *Davis v. Guam*, 932 F.3d 822, 832 (9th Cir. 2019).

15 31. Even facially neutral election procedures violate the Fifteenth
16 Amendment if they are adopted with a racially discriminatory purpose. *See Reno v.*
17 *Bossier Parish Sch. Bd.*, 520 U.S. 471, 481 (1997). “Racial discrimination need only
18 be one purpose, and not even a primary purpose, of an official act” to violate the
19 prohibition on election procedures enacted with racially discriminatory intent.
20 *Velasquez v. City of Abilene*, 725 F.2d 1017, 1022 (5th Cir. 1984) (citing *Arlington*
21 *Heights v. Metro. Dev. Hous. Corp.*, 429 U.S. 252, 265 (1977)).

22 32. The Fifteenth Amendment’s race neutrality requirement restrains
23 California’s authority to draw its congressional districts. *Rice v. Cayetano*, 528 U.S.
24 495, 522 (2000); *see also Gomillion v. Lightfoot*, 364 U.S. 339, 345 (1960) (declining
25 to sanction “the achievement by a State of any impairment of voting rights [] so long
26 as it was cloaked in the garb of the realignment of political subdivisions”). A claim
27 under the Fifteenth Amendment is distinct from claims brought under the Fourteenth
28 Amendment. “Unlike the Fourteenth Amendment[], there is no room for a compelling

1 state interest defense, as the Fifteenth Amendment’s prohibition is absolute.” *Prejean*
2 *v. Foster*, 227 F.3d 504, 519 (5th Cir. 2000).

3 33. Racial gerrymandering—deliberately drawing district boundaries for
4 racial purposes and with racial means —circumvents the Fifteenth Amendment. *Shaw*
5 *v. Reno*, 509 U.S. 630, 640 (1993).

6 ***I. Evidence of Racial Intent: Passing the Hispanic Population Between***
7 ***Districts***

8 34. In California’s effort to preserve sixteen Hispanic majority Districts, the
9 State engaged in a deliberate practice of passing Hispanic majority census blocks
10 from one adjacent district to another to preserve the number of Hispanic majority
11 congressional districts. This was achieved by reducing Hispanic population with
12 precision in many districts, but at a level that very carefully and deliberately
13 maintained a floor of 52% Hispanic population. This “pass the population” resulted in
14 many Hispanic majority districts falling in a tight, narrow, and implausible band of
15 52-55% Hispanic population in the 2025 map. This is implausible without a
16 deliberate racially motivated draw using explicit racial means.

17 35. As Judge Lee noted, this can be explained by the 2021 letter from HOPE
18 to the redistricting commission warning against “overpacked” districts with too
19 highly concentrated Latino populations. *Tangipa* ECF No. 216, at 83 (Lee, J.
20 dissenting) (citing Paul Mitchell statement on HOPE Zoom meeting, Ex. 11, at 4). The
21 letter advocated, for maximum electoral effect, drawing districts “between 52% and
22 54% Latino CVAP” which would “still be very likely to elect Latino candidates of
23 choice.” *Id.* It also stated that “the protection of voters of color is a higher priority
24 than preserving county boundaries or other lower-order criteria” and that “it is also
25 acceptable for [map drawers] to value providing influence to voters of color in [their]
26 district plans, so long as it is not the sole criteria used.” *Id.*

27 36. California’s map violates the Fifteenth Amendment by packing Hispanic
28 and Black voters into districts in such a way to preserve the number of Hispanic

1 majority districts at a precise set number, as well as maintaining two Black influence
 2 districts—maximizing the voting strength of these racial minorities. *See Exh. 1*, at 59,
 3 ¶ 150. This achieved the intended racially motivated outcome of preserving 16
 4 majority Hispanic citizen voting-age population (CVAP) Districts but narrowing this
 5 majority to a tight range between 52-55% Hispanic population in these districts. *See*
 6 *Exh. 1*, at 58-59, ¶ 147 and Table 1 below. The map also violates the Fifteenth
 7 Amendment by maintaining two Black influence districts by deliberately steering
 8 Hispanic populations away from these two districts and placing it in non-compact,
 9 adjacent, Hispanic majority districts. *See Exh. 1*, at 59, ¶ 148.

10
 11 Table 1 – Distribution of majority Hispanic CVAP districts

2025 Newsome Plan			2024 Enacted Plan		
Hispanic CVAP	Number of Districts	Districts	Hispanic CVAP	Number of Districts	Districts
Over 61%	2	22, 44	Over 61%	1	22
58% to 61%	0	-	58% to 61%	1	35
55% to 58%	0	-	55% to 58%	7	42, 33, 31, 29, 38, 25, 31
52% to 55%	13	41, 34, 33, 39, 31, 13, 29, 35, 38, 18, 46, 25, 31	52% to 55%	7	44, 34, 39, 13, 18, 46, 52
Under 52%	1	52	Under 52%	0	52

21 37. Majority Hispanic District 18 lost 57.5% Hispanic CVAP territory to
 22 District 16 and 57.5% Hispanic CVAP territory to District 17. *See Exh. 1*, at 10, ¶ 28.
 23 California was able to preserve District 18 as a majority Hispanic CVAP district
 24 (changing from 52.4% to 52.5%) through carefully selected population transfers from
 25 the adjacent Districts 13 and 22 (also Majority Hispanic districts in both maps). *See*
 26 *Exh. 1*, at 8-9, ¶ 25.

27 38. District 18 was able to achieve this consistency by absorbing a 51.4%
 28 Hispanic CVAP territory from District 13 and a 70.8% Hispanic CVAP from District

1 22. *See Exh. 1*, at 8-9, ¶ 25. This contributed to offsetting District 18's receipt of
2 25.4% Hispanic CVAP territory from District 16 and 14.6% Hispanic CVAP territory
3 from District 17. *See Exh. 1*, at 9, ¶ 26.

4 39. These deliberate swaps of racial population enabled District 18 to remain
5 within the deliberately tight band of 52-55% Hispanic CVAP range. *See Exh. 1*, at 11,
6 ¶ 30. Despite substantial changes in territory, District 18's Hispanic CVAP
7 population remained consistent between 2024 and 2025. California moved high
8 concentrations of Hispanic CVAP territory into District 18 to offset its losses of high
9 Hispanic CVAP territory. Otherwise, District 18 might not have remained majority
10 Hispanic in 2025. *See Exh. 1*, at 11, ¶ 31.

11 ***II. Evidence of Racial Intent: Replacing District 42 with District 41***

12 40. Districts 42 and 41 demonstrate the intent of the map drawer to preserve
13 districts to maintain racial outcomes. Though District 42 transitioned from a Hispanic
14 majority district to a non-Hispanic majority district, District 41 was drawn
15 deliberately to preserve a racial outcome and replace this Hispanic majority district.
16 The new District 42 is effectively dismantled (rendering it no longer a majority
17 Hispanic CVAP district) and was replaced in the same geographic area by a new
18 District 41, which is now within the 52-55% Hispanic CVAP range. *See Exh. 1*, at
19 24-25, ¶ 68-69. District 42 changed its racial composition by discarding a heavily
20 Hispanic area to the north. That population was divided between District 38 and the
21 new District 41. *See Exh. 1*, at 24-25, ¶ 69. This change enabled District 41 to
22 effectively replace District 42.

23 41. Despite District 42 losing a substantial portion of its Hispanic
24 population, this Hispanic majority area was left intact and formed the core of a new
25 Hispanic majority District 41, preserving the number of majority Hispanic CVAP
26 districts at sixteen.

27 42. Under the 2025 Map, Districts 41 and 42 were completely relocated.
28 Despite being moved elsewhere in the State with a new constituent population, those

1 districts were drawn to deliberately maintain the same proportion of Hispanic
2 population. *See Exh. 1*, at 24-30.

3 43. Similarly, Republican District 48 lost territory to three Democrat
4 districts. District 52 (a Hispanic majority district) only absorbed just enough territory
5 from District 48 to have its Hispanic CVAP population change from 52.0% to 51.7%,
6 preserving its narrow Hispanic majority. *See Exh. 1*, at 18-19, ¶ 50.

7 44. When evaluating the Hispanic CVAP majority districts in Proposition
8 50's new map, most of the districts not only retained their Hispanic majority status
9 but maintain similar racial compositions as they had under the previous map.

10 45. The racial population in the new map demonstrates a carefully and
11 intentionally crafted racial outcome. Despite having altogether new lines, nine of the
12 sixteen majority Hispanic CVAP districts are precisely within 2% of their 2024
13 percentages, and all but one remained above 52% Hispanic CVAP despite substantial
14 changes to the congressional boundaries' location. *See Exh. 1*, at 20, ¶ 55. Two
15 districts' Hispanic CVAP changed within 4%, two changed within 6%, and one
16 changed by 9% (District 44 increased to 62% Hispanic CVAP), however, none of the
17 districts that changed by 4% or 6% had their Hispanic CVAP drop below 52%. *See*
18 *Exh. 1*, at 7, ¶ 20. This is not a coincidence. It is a deliberately racially engineered
19 outcome.

20 46. The new District 38 remained majority Hispanic (52.5%) despite being
21 moved west because it absorbed part of the former Districts 42 and 31. If these
22 components had not been merged into District 38, it likely would not have remained
23 majority Hispanic. *See Exh. 1*, at 42, ¶ 109.

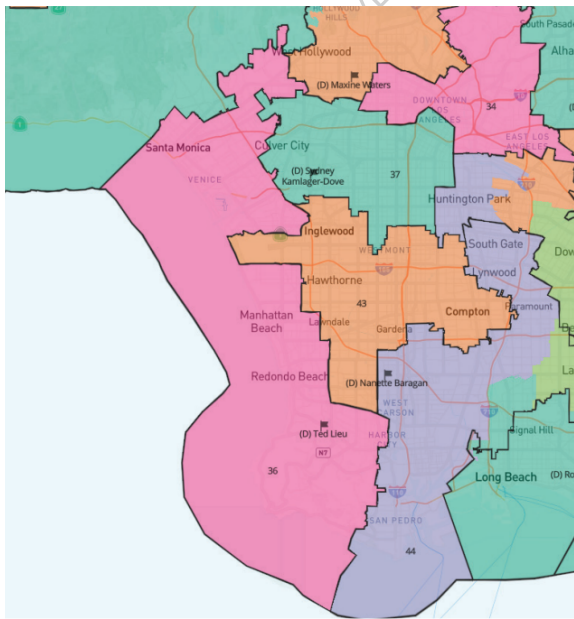
24 47. Despite substantial geographic changes between the 2024 and 2025
25 maps, two majority Hispanic Districts (38 and 42) were effectively reconfigured into
26 the new Districts 38 and 41 to retain their majority Hispanic status. *See Exh. 1*, at 24-
27 44. Proposition 50 not only replaced District 42 with 41 but retained almost the exact
28 same Hispanic CVAP percentage in each district. *See Exh. 1*, at 31, ¶ 85.

1 **III. Evidence of Racial Intent: Deliberately Preserving Two Black**
2 **Influence Districts**

3 48. In addition to the deliberate maintenance of sixteen Hispanic majority
4 districts, Proposition 50 deliberately preserved two performing Black influence
5 districts. These two districts avoided placing too much Hispanic population to not
6 jeopardize their status as Black-performing districts.

7 49. Districts 37 and 43 lie side-by-side, have the highest portion of Black
8 population in any district in California, and are not majority Hispanic. *See Exh. 1*, at
9 48-49, ¶ 129. Rather than making a new majority Black or majority Hispanic district,
10 California deliberately preserved the Black populations' proportion in both districts
11 and did not mix them with the surrounding Hispanic population. *See Exh. 1*, at 49-50,
12 ¶ 133. Districts 37 and 43 were deliberately drawn in such a way as to preserve the
13 proportion of the Black population and its ability to elect candidates based on race.
14 *See Exh. 1*, 50, ¶ 134-35. As Map 1 shows, District 44 was drawn to avoid taking any
15 Hispanic population from District 43 that would upset the ability to elect Black
16 preferred candidates.

17 Map 1 – Black Influence Districts 37 and 43



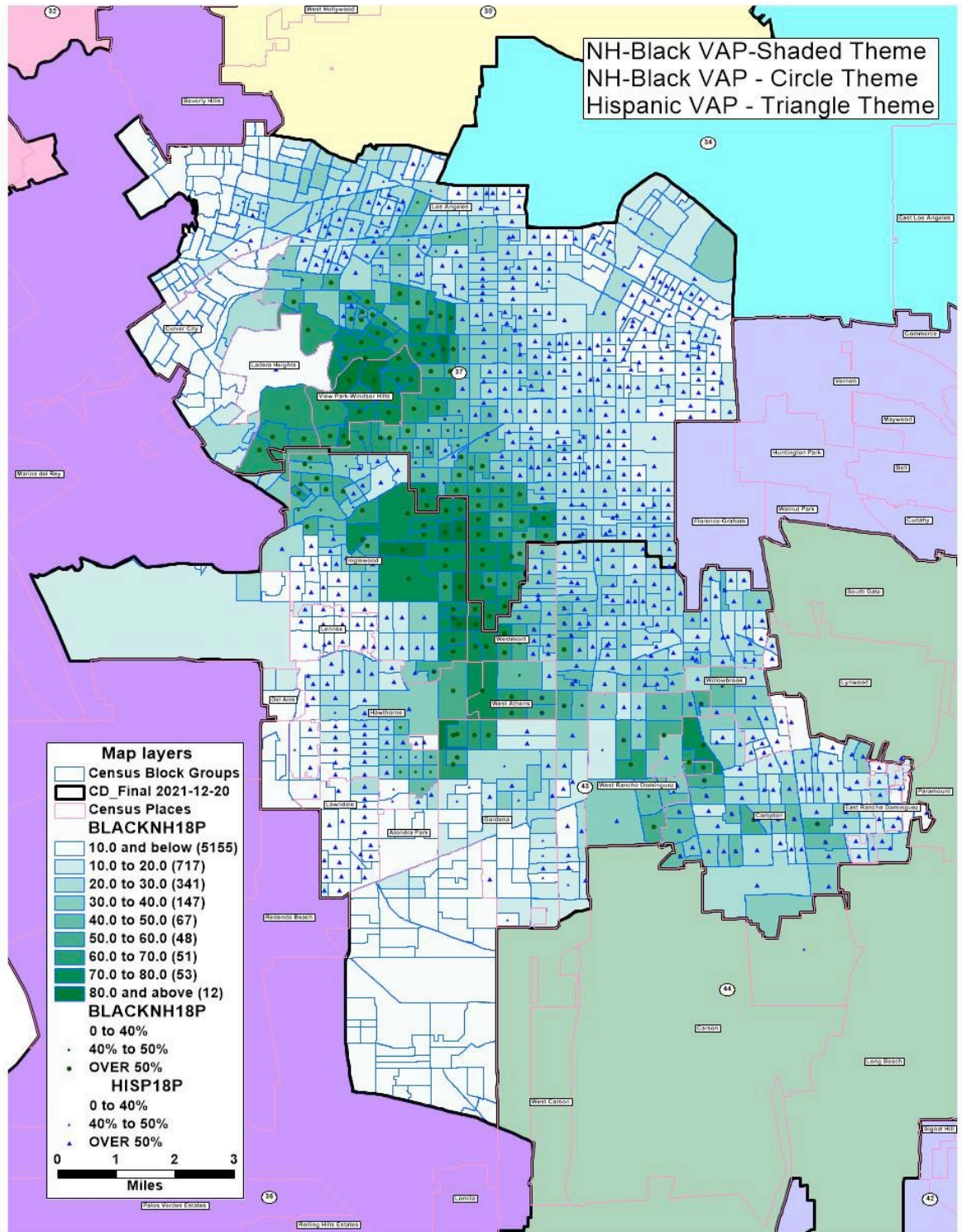
28

1 50. No racial groups' CVAP populations in Districts 43 and 37 changed.
2 Neighboring Hispanic majority Districts 33, 38, 44 and White majority District 40 all
3 experienced demographic changes. *See Exh. 1*, at 59, ¶ 148. Maintaining Districts 43
4 and 37 is evidence of California's racial intent in drawing the map.

5 51. Maps 2 and 3 show that the Black and Hispanic populations are divided
6 in such a way that neither group is the majority of the citizen voting-age population in
7 either district. However, the voter registration data in the census block groups show
8 that the higher concentration of Hispanic population has lower registration as a
9 percentage of voting age population. *See Exh. 1*, at 57, ¶ 144. This demonstrates that
10 the Black population has an increased voting strength relative to the Hispanic
11 population in both districts, providing the Black population with an advantage. *See*
12 *Exh. 1*, at 57, ¶ 144.

13 52. Maintaining Black racial targets in Districts 43 and 37 enables the Black
14 population to maintain Black influence districts. *See Exh. 1*, at 50, ¶ 135. As Map 2
15 demonstrates, the Hispanic population in this area has lower registration as a
16 percentage of VAP. This supports the fact that the Hispanic population in California
17 has a lower citizenship rate than the Black population. This enables the Black
18 populations in Districts 43 and 37 to effectively politically control the districts despite
19 lacking any majority or plurality in the census data. *See Exh. 1*, at 57, ¶ 145. By
20 intentionally walling off surrounding Hispanic and White racial populations,
21 California deliberately and illegally created two Black influence districts. *See Exh. 1*,
22 at 50, ¶ 135. The consequence of blocking Hispanic populations from entering in
23 these two districts was shown in the increase of Hispanic population in neighboring
24 District 44. *See Exh. 1*, at 61, ¶ 155.

1 Map 2 – Illustrative community map with Districts 37 and 43 (NH Black and
 2 Hispanic VAP)

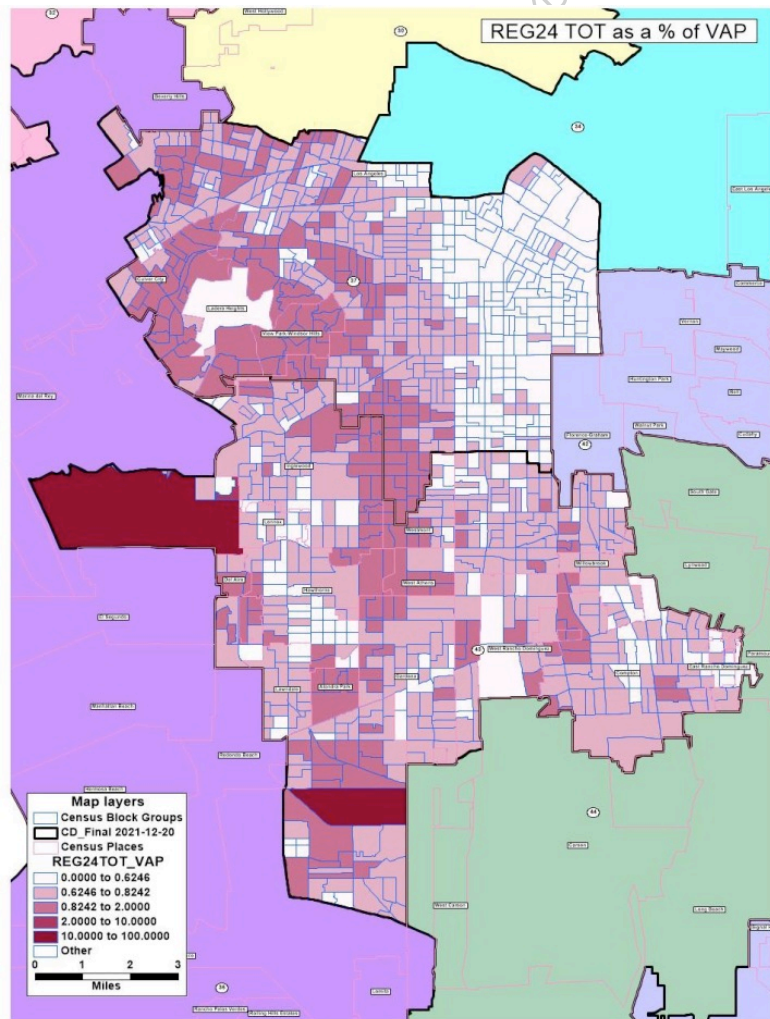


1 53. Map 2 shows the Hispanic and non-Hispanic Black voting-age
2 population (VAP) and uses triangles to represent the Hispanic population and circles
3 for the Black population.

4 54. The larger circles indicate 50% or more non-Hispanic Black VAP, and
5 the smaller circles indicate between 40% and 50% Black VAP. *See Exh. 1*, at 55, ¶
6 142.

7 55. The triangles show the strength of the Hispanic community with the
8 larger triangles indicating over 50% Hispanic VAP and the smaller triangles
9 indicating between 40% and 50% Hispanic VAP. *See Exh. 1*, at 55, ¶ 143.

10
11 Map 3 – Illustrative community map with Districts 37 and 43 (Registration as % of
12 VAP)



1 56. By deliberately concentrating the Black population in two districts with
2 low Hispanic registration percentages, while walling off the Hispanic and White
3 populations to the surrounding districts, California preserved two influence districts
4 for the Black population. California intentionally drew district lines to advance
5 political control of one racial group over another to the detriment of the Fifteenth
6 Amendment and the Voting Rights Act.

7 **CLAIMS FOR RELIEF**

8 **Count I. Violation of the Fifteenth Amendment.**

9 57. Plaintiffs reallege, as though fully set forth in this paragraph, all the
10 preceding allegations of this Complaint.

11 58. The Defendants acted under color of state law to deprive Plaintiffs of
12 rights secured by the Fifteenth Amendment, the Voting Rights Act, and 42 U.S.C. §
13 1983.

14 59. The Fifteenth Amendment prohibits drawing congressional maps with
15 any racial intent, goal, or purpose.

16 60. Map drawers in California intentionally used race to draw district lines
17 in contravention of the Fifteenth Amendment. This is evidenced, in part, by:

- 18 • The intentional preservation of Hispanic majorities in precisely 16 districts
19 (despite carefully lowering the percentage);
- 20 • The implausibly tight range (52% to 55%) of Hispanic population in the
21 resulting districts; and,
- 22 • The deliberate allocation of Black population in Districts 37 and 43 and
23 careful avoidance of adding White and Hispanic population to preserve
24 these two racial influence districts to guarantee electoral outcomes based on
25 race.

26 California's intentional distortion of district boundaries for racial purposes violates
27 Plaintiffs' Fifteenth Amendment rights.

28

1 61. The use of race abridged and/or denied the Plaintiffs’ right to vote
2 because the Defendants intentionally sought to separate voters by race.

3 62. The effect of the districting plan of the Defendants was to intentionally
4 give greater value to the votes of some racial groups, thereby discounting the value
5 of votes of those groups not benefited.

6 **Count II. Violation of Section 2(a) of the Voting Rights Act.**

7 63. Plaintiffs reallege, as though fully set forth in this paragraph, all the
8 preceding allegations of this Complaint.

9 64. Section 2(a) of the Voting Rights Act provides that “[n]o voting
10 qualification or prerequisite to voting or standard, practice, or procedure shall be
11 imposed or applied by any State or political subdivision in a manner which results in
12 a denial or abridgment of the right of any citizen of the United States to vote on
13 account of race or color.” 52 U.S.C. § 10301(a).

14 65. A violation of Section 2(a) of the Voting Rights Act may be based upon
15 the finding of a discriminatory purpose alone, which can be established by proof that
16 race was a motivating factor in the decision to draw California’s congressional map.
17 *See Rice v. Cayetano*, 528 U.S. 495 (2000). California cannot enforce any voting
18 qualification or prerequisite to voting or any standard, practice, or procedure that has
19 any purpose of denying or abridging the right to vote on account of race, color, or
20 membership in a language minority group. Proposition 50’s map was drawn with this
21 intent.

22 66. By deliberately ensuring that the Hispanic population maintains a slight
23 majority in all 16 previously Hispanic majority districts and ensuring the two Black
24 influence districts (Districts 37 and 43) were untouched, California’s boundaries
25 disperse the non-Hispanic population into districts in which they will remain an
26 ineffective minority. In doing this, California intentionally concentrated Hispanic and
27 Black populations into districts where they either constitute a slight majority or enjoy
28 an influence district, violating Section 2(a) of the Voting Rights Act.

1 67. Defendants acted under color of California law to engage in
2 discrimination based on race, color, and/or national origin in violation of: (1) Section
3 2(a) of the Voting Rights Act; and (2) the Fifteenth Amendment to the United States
4 Constitution, which can be enforced through 42 U.S.C. § 1983.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiffs respectfully pray for entry of a judgment:

7 68. Declaring that Proposition 50's map violates the prohibitions on
8 discriminatory purpose contained in the Fifteenth Amendment to the United States
9 Constitution and Section 2(a) of the Voting Rights Act;

10 69. Declaring that Proposition 50 was adopted with an impermissible racial
11 intent in violation of the guarantee of the Fifteenth Amendment to the United States
12 Constitution and Section 2(a) of the Voting Rights Act;

13 70. An order enjoining Defendants from enacting or implementing the map
14 contained in Proposition 50;

15 71. Ordering the Defendants pay Plaintiffs' reasonable attorney's fees,
16 expert fees, including litigation expenses and costs, pursuant to 52 U.S.C § 10310(e);

17 72. Ordering the Defendants pay Plaintiffs' reasonable attorney's fees
18 including litigation expenses and costs, pursuant to 42 U.S.C. § 1988 and any other
19 applicable law;

20 73. Granting Plaintiffs such further relief the Court deems just and proper
21 including all other injunctive relief available to the Court.

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1 February 27, 2026

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