

**From:** [REDACTED]  
**To:** [Shape California's Future](#)  
**Subject:** Public Comment: California Redistricting Commission  
**Date:** Wednesday, August 5, 2020 12:40:42 PM  
**Attachments:** [Gallegos Letter \(1\).pdf](#)

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Please Read aloud the attached electronic transmitted document for Public Comment.

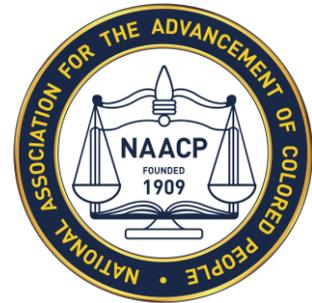
In Community,

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California Pan-Ethnic Health Network



August 5, 2020

California Citizens Redistricting Commission  
c/o California State Auditor  
621 Capitol Mall, Suite 1200 Sacramento, CA 95814  
Sent via electronic transmission

**RE: Opposition to Candidacy of CRC Applicant Richard Albert Gallegos**

Dear Citizen Redistricting Commissioners,

This letter is to inform you of our strong opposition to the candidacy of Richard Albert Gallegos for the Statewide Citizens Redistricting Commission. While we acknowledge the lack of representation from the Latinx community among the first 8 Commissioners that were selected and believe that the Commission must right the wrong done in the random selection phase by selecting more Latino Commissioners, we believe that Mr. Gallegos is unfit to serve as a Commissioner and is not a proper representative of the people of Fresno County, the Central Valley, or the State of California. As such, we urge you to reject his candidacy and choose other applicants from the Republican pool who better demonstrate the three criteria required to sit on the Commission – analytical skills, the ability to be impartial, and appreciation for California's diversity.

We believe that Mr. Gallegos is not qualified to sit as a Commissioner on the Citizens Redistricting Commission for two primary reasons:

**1. Mr. Gallegos has not sufficiently demonstrated his ability to be impartial.**

- a. His Essay Fails to Give Clear Examples of Impartiality: Mr. Gallegos' application does not actually demonstrate an ability to be impartial, but simply states that he has the ability.<sup>1</sup> There are no examples listed outside of his experience as a Deputy Sheriff.
- b. Long History of Racial Discrimination within Fresno Law Enforcement Community: During Mr. Gallegos' interview with the Applicant Review Panel and in his application essays, Mr. Gallegos points to his time as a Deputy Sheriff as demonstration of his ability to be impartial. However, just a cursory analysis of the Fresno County law enforcement community shows that this experience does not necessarily speak to impartiality, and in fact, demonstrates the opposite. According to numerous news reports, the Fresno County justice system, including the Fresno County Sheriff Department, has a long history of racial discrimination against the Latino and Black community.<sup>2</sup> Mr. Gallegos worked as a Deputy Sergeant in the Sheriff's Department for 20 years and his essay and interview fail to address or demonstrate any examples or indications that he worked within the Department to eliminate potential biases against minorities. In fact, Mr. Gallegos was named as a defendant in a 2009 civil rights lawsuit filed against the Fresno County Sheriff's Department (*Coldwell v. County of Fresno*), accusing him and others of discrimination on the basis of sexual orientation.<sup>3</sup> While the case was ultimately settled, it points to the fact that Mr. Gallegos was part of the problem in the Fresno County Sheriff's Department and may have fed into the discriminatory practices of the department.
- c. Failure to Acknowledge Implicit Biases: In his essay responses, Mr. Gallegos states that during his upbringing, his interaction with people gave him an "opportunity to see them without any implicit biases."<sup>4</sup> Numerous studies have indicated that we all have implicit biases. It is the ability to identify and acknowledge one's implicit biases that brings about true appreciation for the diversity of others. To make this statement in his public application demonstrate a lack of self-awareness and understanding of the part that implicit biases may play in the role of a Commissioner.
- d. Biased Letters of Recommendation: Mr. Gallegos' three letters of recommendations come from sources tied to his law enforcement and political biases.<sup>5</sup> His recommenders include a colleague from the Fresno County law enforcement community, an elected official, and his stepmother-in-law. These recommendations do not speak to his ability to work with people from all walks of life and to set aside his views to work toward a common purpose.

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<sup>1</sup> "Application for Richard Albert Gallegos." Shape California's Future, State's Auditor's Office, <https://applications.shapecaliforniasfuture.auditor.ca.gov/application/11427.html>. July 30, 2020.

<sup>2</sup> Thebault, Reis and Alexandria Fuller. "The Bias in Fresno's Justice System: An investigation of policing in Fresno shows a lasting legacy of discrimination, and its consequences." The Atlantic, <https://www.theatlantic.com/politics/archive/2018/08/crime-in-fresno/567931/>. July 30, 2020.

<sup>3</sup> "*Coldwell v. County of Fresno*, No. 1:2007cv01131 - Document 43 (E.D. Cal. 2009)." Justia US Law, <https://law.justia.com/cases/federal/district-courts/california/caedce/1:2007cv01131/165946/43/>. July 30, 2020.

<sup>4</sup>

<sup>5</sup> "Application for Richard Albert Gallegos: Letters for Recommendation." Shape California's Future, State's Auditor's Office, <https://applications.shapecaliforniasfuture.auditor.ca.gov/application/11427.html#lor>. July 30, 2020.

2. **Mr. Gallegos has not demonstrated an appreciation for California’s diverse demographics and geography.**

- a. Failure to Understand the Concept of Communities of Interest: As you know, a major part of the work of the Citizens Redistricting Commission is identifying communities of interest and including them, as much as possible, in your analysis, negotiations, and deliberations during the process of drawing district lines. To understand communities of interest, however, one must understand that people and communities are different. This is especially true in the State of California, one of most diverse states in the nation. Mr. Gallegos’ essay and interview does not demonstrate that he understands, appreciates, or respects those differences. For instance, during his interview, Mr. Gallegos says that “we’re all the same.”<sup>6</sup> In his essay, he says that he “didn’t see [his] neighbors as being different but just ‘my neighbors’”. got to interact with many types of people. These statements are directly contrary to the spirit behind the community of interest concept, which acknowledges that people and communities have distinct characteristics that should be acknowledged and respected for their differences. Mr. Gallegos has failed to understand this dynamic.
- b. Derogatory Statement Towards “Some Cultures”: In addition, in his interview, Mr. Gallegos makes a derogatory statement towards community groups that many may find offensive. On page 29 of his interview transcript, Mr. Gallegos says that “some cultures become intimidated if they can’t relate to the people talking to them.”<sup>7</sup> While unclear to whom Mr. Gallegos is referring, this type of language, said in a public setting, should be disqualifying for a potential candidate on the Citizens Redistricting Commission.
- c. Clovis Doesn’t Represent the Diversity of Fresno County or the Central Valley: Lastly, it should be noted that the City of Clovis, where Mr. Gallegos currently lives, does not reflect the diversity of Fresno County, the Central Valley, or California as a whole. While Latinos make up nearly 40 percent of California’s population<sup>8</sup> and over 55 percent of Fresno County,<sup>9</sup> Latinos are just 30 percent of the population in the City of Clovis.<sup>10</sup> In addition, while African Americans make up nearly 7 percent of the State’s population<sup>11</sup> and nearly 6 percent of the population in Fresno County,<sup>12</sup> they are just 3 percent of the population in Clovis.<sup>13</sup> As such, all things equal, a candidate that lives and works in Clovis will not necessarily bring a perspective that truly represents the diversity of the county, region, or state.

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<sup>6</sup> “Application for Richard Albert Gallegos: Letters for Recommendation.” Shape California’s Future, State’s Auditor’s Office, <https://applications.shapecaliforniasfuture.auditor.ca.gov/application/11427.html#lor>. July 30, 2020.

<sup>7</sup> Petty, Peter. “STATE OF CALIFORNIA STATE AUDITOR’S OFFICE (CSA) – In the matter of 2020 CITIZENS REDISTRICTING COMMISSION (CRC) Applicant Review Panel (ARP) Public Meeting – MONDAY, MARCH 9, 2020 – 9:00 A.M.” State Auditor’s Office, Interview Transcript, [https://shapecaliforniasfuture.auditor.ca.gov/pdfs/arp\\_public\\_meeting20200304\\_transcript0309.pdf](https://shapecaliforniasfuture.auditor.ca.gov/pdfs/arp_public_meeting20200304_transcript0309.pdf). July 30, 2020.

<sup>8</sup> “California.” Quickfacts, U.S. Census Bureau, <https://www.census.gov/quickfacts/CA>. July 1, 2019.

<sup>9</sup> “Fresno County, California.” Quickfacts, U.S. Census Bureau, <https://www.census.gov/quickfacts/fresnocountycalifornia>. July 1, 2019.

<sup>10</sup> “Clovis City, California.” Quickfacts, U.S. Census Bureau, <https://www.census.gov/quickfacts/cloviscitycalifornia>. July 1, 2019.

<sup>11</sup> Id. at “California.”

<sup>12</sup> Id. at “Fresno County, California.”

<sup>13</sup> Id. at “Clovis City, California.”

- d. No Tangible Examples of His Appreciation for California's Diversity: Nothing else in Mr. Gallegos' essay and very little in his interview points to a deep understanding and appreciation of California's diversity.

In closing, we support the Commission's stated goal to have the Citizens Redistricting Commission reflect the diversity of the State of California and believe that Latinos must be strongly represented on the Commission to accomplish this goal. We also acknowledge the fact that only 6 self-identified Latinx candidates remain in the applicant pool, and only two remain from the Republican subpool, including Mr. Gallegos. Mr. Gallegos, however, is not the right candidate to meet your stated goal. Mr. Gallegos' background, experience, essay and interview demonstrates that he should not represent the Central Valley or Fresno County on the Citizens Redistricting Commission because he has not properly demonstrated an ability to be impartial nor an appreciation for California's diversity. We respectfully ask you to reject Richard Gallegos' candidacy and select other candidates to fill the two remaining Republican seats on the Citizens Redistricting Commission – candidates that better embody and demonstrate the statutory criteria used to select the remaining six applicants.

Thank you in advance for your time and consideration of our position.

In Community,

Eric Payne, Executive Director, The Central Valley Urban Institute  
Ashley Rojas, Executive Director, Fresno Barrios Unidos  
Naindeep Singh, Executive Director, Jakara Movement  
Kiran Savage-Sangwan, Executive Director, California Pan-Ethnic Health Network  
Xavier Morales, Executive Director, The Praxis Project  
LeRoy Chandler, President, National Association for Advancement of Colored People (NAACP)=Fresno  
Tara Lynn Gray, Chief Executive Officer, Fresno Metro Black Chamber of Commerce  
Pablo Rodriguez, Executive Director, Communities for a New California Education Fund (CNC Ed Fund)  
Samuel Molina, Campaign Director, Mi Familia Vota