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March 1, 2021

VIA EMAIL

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**Re: SANTA BARBARA REDISTRICTING COMMITTEE'S UNAUTHORIZED
HIRING OF ATTORNEY FREDRIC D. WOOCHEER OF STRUMWASSER
& WOOCHEER AS LEGAL COUNSEL IN VIOLATION OF ORDINANCE.**

Dear County Supervisors:

This law firm represents the Coalition of Labor Agriculture and Business (“COLAB”) in connection with the Santa Barbara Redistricting Committee’s (“SBRC”) recent unauthorized approval and hiring of attorney Fredric D. Woocher, Esq (“Attorney Woocher”) as independent counsel.

As you know, in the November 2018 Statewide General Election, Santa Barbara County voters approved Measure G, which formed an 11-member independent redistricting commission¹ to establish the electoral district boundaries in Santa Barbara County for the upcoming decade. During a recent Citizens Independent Redistricting Commission that remotely took place on

¹ Cheryl Trosky, Karen Twibell, William McClintock, Megan Turley, Norman Bradley, James Chris Hudley, James H. Bray, Amanda Ochoa, Glenn Morris, Janet Rios and Benjamin Olmedo.

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February 3, 2021, the SBRC approved a final contract and recommended Attorney Woocher and his law firm, Strumwasser & Woocher, be approved as independent counsel. However, the SBRC's approval and appointment of Attorney Woocher and his law firm as legal counsel violates Sections 2-10.9A(4)(d)(1-6)(C) and 2-10.9A(5)(d)(1) of the Citizens Independent Redistricting Commission Ordinance ("Redistricting Ordinance") as codified. As such, COLAB objects to this appointment and will not hesitate to file suit and seek an injunction if Attorney Woocher and his firm are not immediately disqualified and released from their contract with SBRC as its legal counsel.

The Redistricting Ordinance imposes direct limitations on what firms or individuals may be hired as legal counsel or other consultants. Specifically, Section 2-10.9A(5)(d) of the Redistricting Ordinance provides:

- (5)(d)(1) The commission shall not retain a consultant who would not be qualified as an applicant pursuant to subsection (4)(d).
- (2) For purposes of this subdivision, "consultant" means a person, whether or not compensated, retained to advise the commission or a commission member regarding any aspect of the redistricting process.

The grounds for disqualification of commissioners, and therefore also grounds for disqualification of counsel under Section 2-10.9A(4)(d), include certain restrictions. Pursuant to subsection 2-10.9A(4)(d), commissioners, their counsel, and consultants must meet the following criteria:

- 4(d)(1) Be a resident of the County of Santa Barbara
- 4(d)(2) Be a voter registered in Santa Barbara County
- 4(d)(4) Have voted in Santa Barbara County in at least one of the last three statewide elections immediately preceding his or her application to be a member of the commission.
- 4(d)(6)(C) No commissioner or immediate family member may, within the last eight years preceding appointment to the commission, ... had a significant influence on the actions or decisions of a political committee required to register with the California Secretary of State, which expended funds in excess of five hundred dollars in support or opposition to a candidate for any elective office of the County of Santa Barbara, including member communications.

Thus, the SBRC may not engage any consultant, including legal counsel, who has served on any political committee for an elected County official in the past 8 years. It should be noted that the disqualification provisions are very broad and intentionally so. They are intended to prevent not only the appointment of Commissioners or consultants who are actually partisan and biased (such as Attorney Woocher), but also those who might merely appear to be biased by reason of their past political activities or associations.

In this case, Attorney Woocher is conflicted out under the Redistricting Ordinance by virtue of his past representation of Doreen Farr who served on the County Board of Supervisors between 2009 - 2016. In 2012 and 2013, Attorney Woocher was involved in litigation for Supervisor Farr that went all the way to the United State Supreme Court, where the Petition was

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denied on June 10, 2013. Attorney Woocher was active in this case and he filed a brief with the Court on May 6, 2013. May 6, 2013 is within 8 years of the February 3, 2021 appointment. This appointment of Attorney Woocher is a direct violation of Section 2-10.9A(5)(d).

Furthermore, in order for Attorney Woocher to be a consultant for the redistricting process, he would have to live in Santa Barbara, be registered to vote in Santa Barbara, and have voted in Santa Barbara in one of the last three general elections (*See* Sec. 2-10.9A(4)(d)(1-2, 4). Attorney Woocher resides in Los Angeles County, is registered to vote in Los Angeles County and he votes in that County.

It is our understanding that the Board of Supervisors intends to approve this contract at the committee meeting scheduled for March 9, 2021. If the Board of Supervisors does not notify us by March 4, 2021, that they no longer intend to approve the redistricting Commissions choice of Attorney Woocher, COLAB has authorized my firm to file an immediate injunction prohibiting this retention

Regards,

Mark P. Meuser

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