



LOS ANGELES COUNTY DEMOCRATIC PARTY

VIA FACSIMILE & U.S. MAIL
(916) 323-0913

Daniel Claypool
Sharon Brumley
Bureau of State Audits
555 Capitol Mall, Suite 300
Sacramento, CA 95814

Re: Comments Recommending Changes to the Bureau's Proposed
Regulations to Implement the Voters FIRST Act

Dear Mr. Claypool and Ms. Brumley:

The Los Angeles County Democratic Central Committee, also known as the Los Angeles County Democratic Party (LACDP), is the official governing body of the Democratic Party in the County of Los Angeles. It is the largest local Democratic Party entity in the United States. The LACDP represents over 2.2 million registered Democrats in the 88 cities and the unincorporated areas of Los Angeles County, a population larger than 42 states. The LACDP conducts Democratic Party campaigns in Los Angeles County under the general direction of the California Democratic State Central Committee. The essence of LACDP's mission is to encourage the fullest possible participation of all voters registered with the Democratic Party and to disseminate the Democratic Party message, platform and philosophy to the voting public and to public officials at all levels of government. The LACDP also assists concerned citizens who join together in grassroots Democratic organizations, including, in particular, Democratic clubs.

The LACDP opposes proposed Regulation 60800 in its current form. The Voters FIRST Act (Act) speaks of a need for redistricting to take place pursuant to "strict, nonpartisan rules" (Act at Section 2 (d)-(e)) and for commissioners to perform their duties "in a manner that is impartial and that reinforces public confidence in the integrity of the redistricting process" (Cal. Const. article XXI, Section 2(c)(6)). However, the proposed regulation goes far beyond this by screening out not just those with a personal stake in a redistricting decision or a demonstrable prejudice or bias, but also individuals with "life experiences" that demonstrate a political opinion or allegiance or personal "aspirations" of a political or partisan nature. Such a rule would disadvantage a parent who was sufficiently concerned about her child's education to become involved in a school board race or local community activist in a beachside community who was so concerned about the environmental impact of a development in his community that he joined his local Democratic club's efforts to support or oppose a local ballot measure or candidate. It would also disadvantage a rank-and-file member of the NAACP or NRA who was passionate enough about a local municipal ballot measure to serve as a member of a speakers' bureau speaking to his or her friends and neighbors in support of, or opposition

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to, that measure. Such an approach is statutorily unwarranted and amounts to inappropriate legislation by an administrative body.

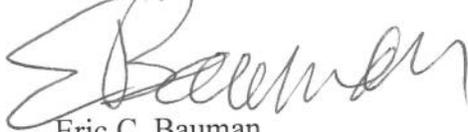
The LACDP believes that the work of the Citizens Redistricting Commission is too important to exclude from the applicant pool those with strong political convictions or, even, a desire, someday, to serve in public office. Accordingly, the LACDP encourages the Bureau to consider deleting a definition of "ability to be impartial" in favor of a system describing disqualifying partiality and certain exclusions therefrom—an approach analogous to the judicial disqualification rules in Code of Civil Procedure Sections 170.1 and 170.2. Alternatively, the Bureau could limit the definition of "ability to be impartial" to a "capacity and willingness to make a decision in accordance with the applicable law and to evaluate information with an open mind free from preconception or bias."

Given the importance of the inclusiveness of the applicant pool to the ultimate fairness and legitimacy of the redistricting process, the LACDP urges the Bureau to make the maximum possible outreach in connection with the public comment process and to extend the public comment period on proposed Regulation 60800 as long as possible consistent with statutory deadlines.

On behalf of the LACDP, I appreciate your attention and invite you to contact me or LACDP's counsel, Laurence S. Zakson of Reich, Adell & Cvitan, 3550 Wilshire Boulevard, Suite 2000, Los Angeles, CA 90010, if we may be of additional assistance.

In closing, I would be remiss if I did not acknowledge the important contributions made to these comments by Greg Girvan, a grassroots Democratic activist who gave generously of his time in analyzing the proposed Regulations and publicizing their contents.

Sincerely,



Eric C. Bauman
Chair

cc: Hon. John Burton, Chair, California Democratic Party
Laurence S. Zakson, Esq., General Counsel, LACDP