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September 11, 2009

Elaine M. Howle
California State Auditor
555 Capitol Mall, Suite 300
Sacramento, CA 95814

Dear State Auditor Howle:

As the State official entrusted with the implementation of the selection and application process for the Citizens Redistricting Commission identified in the Voters First Act (Proposition 11, 2008), I commend you for the admirable work you have done thus far.

The Legislative Tri-Caucus—which includes the California Latino Legislative Caucus, the Legislative Black Caucus, and the Asian and Pacific Islander Legislative Caucus—is fully committed to working with you to ensure our communities are full participants in this process. Upon reviewing the proposed language for the application process for membership of the Citizens Redistricting Commission, the Legislative Tri-Caucus has a few concerns that we wish to share with you.

The Voters First Act calls for the Applicant Review Panel to consider the "relevant analytical skills" of individuals when reviewing applications of candidates for the Citizens Redistricting Commission. We are concerned that the definition of "relevant analytical skills" contained in the draft regulations is overly prescriptive, and may discourage qualified individuals from applying.

Specifically, the Legislative Tri-Caucus is concerned that the regulation focuses too much on applicants' technical expertise—expertise that is not necessary in order for a person to play a productive role on the redistricting commission. For instance, few Californians are likely to have familiarity with the type of computer software that is used to draw district lines. But many individuals who lack that familiarity will have the experience and skills needed to work collaboratively to create a redistricting plan. While we expect that the staff hired by the Commission will have a great deal of technical expertise, we believe it is more important for the commissioners to be able to understand and appreciate the criteria that govern the drawing of districts, to give careful consideration to public input, to evaluate critically the advice from commission staff, and to balance competing concerns to produce a fair and impartial redistricting plan. In consideration of these concerns, we recommend that the definition of "relevant analytical skills" be modified to place less of an emphasis on technical expertise such as a familiarity with sophisticated software and the ability to understand dense and technical written materials and complicated statistical information.

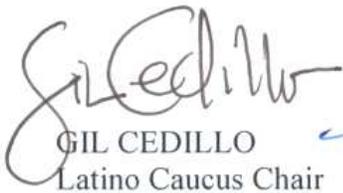
Additionally, we encourage you to modify the draft regulations to give greater weight to an applicant's understanding and appreciation of the Voting Rights Act. The Voting Rights Act has been instrumental in helping to expand the memberships of the Latino Legislative Caucus, the Legislative Black Caucus, and the Asian and Pacific Islander Legislative

Caucus. In turn, the growth of these three Caucuses has helped make California's Legislature more reflective of the state's diversity. Given these facts, and in recognition of the importance that the Voters First Act places on drawing districts that comply with the Voting Rights Act, the Tri-Caucus believes it is essential that an applicant's understanding of the Voting Rights Act and of the importance of that Act be considered when evaluating an applicant's relevant analytical skills and appreciation for California's diverse demographics.

Finally, while we are encouraged by your plans to conduct a statewide outreach program to familiarize Californians with the application process, we want to ensure that your outreach efforts include comprehensive outreach to minority communities. The text of the Voters First Act emphasizes the importance of creating a redistricting commission that is reflective of the state's diversity. In order to realize that important goal, we encourage you to ensure that your outreach program fully funds outreach to minority groups.

The Legislative Tri-Caucus hopes you will address our concerns. Thank you for your consideration and we look forward to working with you on this issue of monumental importance to our State.

Respectfully,


GIL CEDILLO
Latino Caucus Chair


SANDRE SWANSON
Black Caucus Chair


WARREN FURUTANI
Asian Pacific Islander
Caucus Chair