



July 15, 2011

*Via electronic mail*

Daniel Claypool

Executive Director

California Citizens Redistricting Commission

901 P Street, Suite 154-A

Sacramento, CA 95814

Re: Public Records Act Request (Racially Polarized Voting Analyses)

Dear Mr. Claypool:

On behalf of the African American Redistricting Collaborative (AARC), the California Chamber of Commerce and the Los Angeles County Federation of Labor, AFL-CIO, we write, pursuant to the California Public Records Act, Gov. Code Sec. 6353, to request any and all racially polarized voting studies, underlying data, memos and related analyses--performed by any consultants including, but not limited to, Professor Matthew Barreto--relied upon by the Commission for its line-drawing activities and/or summarized by Counsel George Brown in his memo dated July 13, 2011. This morning at your Business Meeting, Mr. Brown and the Chairman Ancheta indicated that Professor Barreto will be attending your July 15 meeting with Mr. Brown (in closed session) and yet this information is still not publicly available.

AARC's July 7, 2011 letter to the Commission cited due process concerns regarding the release of Professor Barreto's work for the Commission:

"To the extent that the Commission has requested this report for the purpose of creating districts, then that report should be subject to public review and comment just as any other supporting data submission. Even if the notes and advice that counsel has developed pursuant to that report may be shielded based upon privilege, the analysis of the data itself and the expert's summary findings used to create these districts surely cannot be reasonably deemed solely produced for the purpose of litigation. This record, like any other submission, is directly relevant to the public creation of election districts. There is no way at all to verify any of the expert's choices in conducting his analysis without access to this report. We would likewise have no information at all about any directions that counsel gave the expert in formulating his research design. If the Commission

relies upon that report for any later visualization or map, it risks a serious legal challenge under Due Process Clause and associated state open government laws.”

We ask for a determination on this request within 10 days of your receipt of it, and a more timely reply if you can make that determination without having to review the record(s) in question. We look forward to receiving this vital information which should have already been made available to the public.

Sincerely,

Erica Teasley Linnick, Esq.  
Coordinator  
African American Redistricting Collaborative

Robert Lapsley  
Vice President, Public Affairs  
California Chamber of Commerce

Rani N. Woods  
Manager, Redistricting Strategy and Outreach  
Los Angeles County Federation of Labor, AFL-CIO

cc: Commissioners