

**Comments on Selection Process for the Voters First Act (Proposition 11):  
to be presented at the California State Auditor's "Interested Persons Meeting" in  
San Francisco on February 27, 2009**

Good morning. I'm Malka Kopell, representing California Forward. California Forward is a bipartisan public interest government reform effort. Thank you for allowing us the opportunity to provide input to you.

As you know, California Forward was a strong supporter of Proposition 11. Being so, we understand that its passage marks only the beginning of the significant work to be done to ensure this reform is a success. The appropriate, fair and thorough *implementation* of Proposition 11 is of paramount importance. In other words, as I'm sure you'll agree, this needs to be done right. Therefore, we at California Forward have charged ourselves with monitoring the implementation process for Prop. 11 very carefully, and are pledging to you that we will support the process in any way we can.

I want to begin by thanking you for holding these hearings. Starting with "listening" hearings sends a welcome signal about how you intend to carry out this important job. Maintaining and even increasing your outreach and inclusiveness as you go forward will also be greatly valued. We want to echo the comments you have heard in previous hearings about making future meetings more accessible to the public, including holding meetings on weekends and evenings, publishing transcripts of the meetings in a timely way, and considering additional ways of holding them – including broadcasting them on the web, videotaping them for later viewing, and/or providing online ways to comment. We are pleased with the interest the public is showing in the redistricting commission selection process, and have been approached by many, many individuals who have asked us how to get involved. We are also impressed with the level of thoughtfulness of the comments we have heard up and down the state, and the commitment people have shown by missing work and in some cases, traveling many miles to participate. I'm sure you are impressed as well.

Now to speak directly to your questions about the application and selection process for the Citizens Redistricting Commission. We have heard a lot of comments to date, the bulk of which we see as centering around two main points.

**First, people want a selection process they can trust. That means that that the word needs to get out far and wide to give interested people the opportunity to apply for the Commission, and that the selection process itself should be as transparent as you can make it.**

**Second, people want a commission that they can trust and that they feel represents them. That means that it needs to reflect the diversity of the people it represents, not only in the overall group of applicants, not only in the final pool of 60 selected by the Applicant Review Panel, but in the final 14 members.**

Throughout the course of these hearings, you have heard a lot of good ideas about how to accomplish these two things, included in the comments of California Common Cause, the League of Women Voters, AARP, the National Association of Latino Elected Officials, the Asian Pacific American Legal Center, the Center for Governmental Studies, the California Voter Foundation, experts in outreach, those who have had experience with other redistricting commissions, and members of the public. Here are some of those ideas:

1. Do broad and deep outreach to potential applicants:
  - Have outreach materials outline the importance of the redistricting process, how the selection process will work, desired qualifications of commissioners and conflict-of-interest provisions
  - Use a variety of communications methods to get the word out, including an interactive website, mailers and print and electronic media (including ethnic media)
  - Make an extra effort to ensure the outreach gets to hard-to-reach populations that are traditionally underrepresented in the election process
  - Enlist other state-wide organizations (e.g., AARP, the League of California Cities) and community-based nonprofits, civic and business organizations as partners in outreach
2. Make it easy for applicants to apply:
  - Make the application as simple as possible
  - Set up a hotline to answer questions regarding application criteria and process
  - Hold workshops or trainings in communities to inform and support potential applicants about the application process. As with the outreach, enlist partner organizations in this phase as well
  - If you do interviews, hold them in various parts of the state to reduce travel/financial barriers that may be encountered by applicants
3. Strive to ensure that the final selected members represent the diversity of California:
  - Instruct the Applicant Review Panel to ensure diversity in each of the three final applicant subpools of 20
  - Recommend a decision-making process for how the first eight randomly-chosen commissioners select the final six that will provide the best opportunity for diversity. The State Auditor's Office may want to study in advance the varying effects of different decision-making process (e.g., voting on a slate of candidates vs. considering them one-by-one).
4. Make the selection process transparent:
  - Provide applicants who are rejected because they do not meet the conflict-of-interest provisions the reason for their rejection
  - Consider making the deliberations of the Applicant Review Panel as public as possible, including having the meetings be public and subject to the open meeting requirements of the Bagley-Keene Act. Consider putting the meetings on the Internet.

- While prohibiting ex parte communication with members of the Applicant Review Panel, consider allowing members of the public to submit public comment to the Applicant Review Panel -- in person, in writing, by calling in, and/or electronically.

These are some of the many useful ideas we heard in your hearings, and we strongly encourage you to consider them and others that help to carry out the spirit of Proposition 11 and maximize the effectiveness of the Citizens Redistricting Commission.

Finally, we know you have a huge task before you. California Forward wants to offer our help and support – to help you research questions you might be struggling with as you prepare your regulations, and to help you reach out to potential applicants around the state and support them in the application process. And we aren't the only ones who can help. Many of the organizations that have come before you over the past few weeks are equally dedicated to the success of this reform and stand ready to help you make this process work. We urge you to think of all of us as your partners in this effort and to call on any of us for support as you move forward.