

the highest priority for staff to collect)

3. Census Data update - i.e., definitions of neighborhoods, communities of interest, majority populations, etc. (though I believe some of these areas will be addresses at the morning training session on Thurs. - and will likely need to be discussed further with legal and technical consultants)

4. Prison Population census data update (though a report from Dan on this will likely show it not to be an area we will be able to consider)

Any other suggestions, additions, revisions, to this? Again, if you could have that to me before the noon cut-off for us get back to Maria, it would be very helpful.

- Michelle

--
Michelle R. DiGuilio, Commissioner
California Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
(866) 356-5217
wedrawthelines.ca.gov

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1130 K Street, Suite 101
Sacramento, CA 95814
(866) 356-5217
wedrawthelines.ca.gov

--
Michelle R. DiGuilio, Commissioner
California Citizens Redistricting Commission
"Fair Representation - Democracy at Work!"
www.wedrawthelines.ca.gov
(866) 356-5217

Fri, Apr 8, 2011 at 8:47 AM

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

----- Forwarded message -----
From: DiGuilio, Michelle <michelle.diguilio@crc.ca.gov>
[Quoted text hidden]

Torres, Kermit <kermit.torres@crc.ca.gov>

MONTTOOTH PRA: Fwd: Input meeting schedule

2 messages

DiGuilio, Michelle <michelle.diguilio@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Tue, Apr 5, 2011 at 7:08 AM

----- Forwarded message -----

From: Sargis, Janeece <janeece.sargis@crc.ca.gov>
Date: Tue, Mar 22, 2011 at 11:11 AM
Subject: Re: Input meeting schedule
To: "DiGuilio, Michelle" <michelle.diguilio@crc.ca.gov>

I'm checking on this and the conference call. Do you know at this point who all will be involved?

On Tue, Mar 22, 2011 at 9:22 AM, DiGuilio, Michelle <michelle.diguilio@crc.ca.gov> wrote:

Good morning Janeece!

I know you're probably swamped right now, but I wanted to ask a quick question. We're trying to meet with Karin tomorrow to, among other things, review the tentative input meeting schedule and get her technical feedback. Are the documents that are posted online the most up-to-date? I was thinking there might be a version that incorporates the changes we suggested for early April.

Any direction you can point me to find these documents would be very helpful.
Michelle

--
Michelle R. DiGuilio, Commissioner
California Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
(866) 356-5217
wedrawthelines.ca.gov

--
Janeece Sargis
Commission Liasion
Citizens Redistricting Commission
[REDACTED] - office
[REDACTED] - cell

--
Michelle R. DiGuilio, Commissioner
California Citizens Redistricting Commission

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www.wedrawthelines.ca.gov
[\(866\) 356-5217](tel:8663565217)

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:12 AM

[Quoted text hidden]

Torres, Kermit <kermit.torres@crc.ca.gov>

MONTTOOTH PRA: Fwd: Suggested time for conference call with Karin

2 messages

Tue, Apr 5, 2011 at 7:06 AM

DiGuilio, Michelle <michelle.diguilio@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

----- Forwarded message -----

From: **Blanco, Marla** <maria.blanco@crc.ca.gov>
Date: Tue, Mar 22, 2011 at 12:37 PM
Subject: Re: Suggested time for conference call with Karin
To: "DiGuilio, Michelle" <michelle.diguilio@crc.ca.gov>
Cc: "Ancheta, Angelo" <angelo.ancheta@crc.ca.gov>, Lilbert Ontai <lilbert.ontai@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Daniel Claypool <daniel.claypool@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>, Janeece Sargis <janeece.sargis@crc.ca.gov>

I will not be participating.

On Tue, Mar 22, 2011 at 9:43 AM, DiGuilio, Michelle <michelle.diguilio@crc.ca.gov> wrote:
Karin just called and said that a conference call would work best before 10:30. Originally she suggested 9:30 but with Angelo having a commitment at 10:30 will this be enough time? Maybe 9:00 instead?

Also, still a couple unresolved issues:

1. Kirk: how many of us can participate?
2. Dan: would you like to participate, too? (I think it would be helpful if you have the time)
3. Janeece/Dan: we will need a conference call "set-up" (i.e. phone number for us all to call)

Many thanks....
Michelle

Michelle R. DiGuilio, Commissioner
California Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
(866) 356-5217
wedrawthelines.ca.gov

María Blanco
Commissioner
Citizens Redistricting Commission

--
Michelle R. DiGuilio, Commissioner
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[\(866\) 356-5217](tel:(866)356-5217)

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:12 AM

[Quoted text hidden]



Torres, Kermit <kermit.torres@crc.ca.gov>

MONTOOTH PRA: Fwd: Legislative Communication Policy re: SWDB, Berkeley Redistricting Group and Q2 Data

2 messages

DiGuilio, Michelle <michelle.diguilio@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Tue, Apr 5, 2011 at 7:05 AM

----- Forwarded message -----

From: Claypool, Daniel <daniel.claypool@crc.ca.gov>
Date: Tue, Mar 22, 2011 at 4:28 PM
Subject: Fwd: Legislative Communication Policy re: SWDB, Berkeley Redistricting Group and Q2 Data
To: Maria Blanco <maria.blanco@crc.ca.gov>, Libert Ontai <lilbert.ontai@crc.ca.gov>, "DiGuilio, Michelle" <michelle.diguilio@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>

I received this about five minutes ago. Its a precaution but you need to be aware that there may need to be conversations with the Legislature in the interim period discussed.

Dan

----- Forwarded message -----

From: Claypool, Daniel <daniel.claypool@crc.ca.gov>
Date: Tue, Mar 22, 2011 at 4:11 PM
Subject: Re: Legislative Communication Policy re: SWDB, Berkeley Redistricting Group and Q2 Data
To: "Wagaman, Michael" <[REDACTED]>
Cc: "Schwieren, Bernd" <[REDACTED]>, "Yoakam, Douglas" <[REDACTED]>, "Walters, Joshua" <[REDACTED]>

Michael,

Thanks for the update. I will forward this e-mail to the Commission's current Chair and Vice-Chair. They will have to be the interim CRC contacts until the full Commission can meet and make a different arrangement, if necessary. For staff, please e-mail myself and Kirk Miller, Chief Counsel, if oral communications are necessary.

Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]

On Tue, Mar 22, 2011 at 3:46 PM, Wagaman, Michael <[REDACTED]> wrote:

As you know, since the Commission has begun utilizing the services of Karin Mac Donald and her associates, the Legislature has had a policy of only communicating with those persons on issues we are statutorily mandated to under Prop 11 (i.e. construction of the database, delivery of public access to redistricting software) and that we would make sure that all information was shared all four caucuses to avoid any appearance of partisanship.

Assuming the contract with Q2 to provide technical services moves forward on Friday, all four Caucuses have agreed to expand this policy such that after Thursday (when we will obviously be talking with her as part of the Commission's requested presentation on the redistricting database) any further communications will be in writing to create a paper trail. Should circumstances require oral communications, those would always include both a Democrat and a Republican on the call and we would provide the opportunity for Commission staff to listen in if so desired. As before any communications would be limited to topics statutorily mandated.

This should only really be an issue for the week or two between the potential signing of the contract and the delivery of the dataset, at which point our need to communicate with the Berkeley folks will largely evaporate.

Please let me know if you have any concerns with this policy and who the appropriate staff contact at CRC should be.

-Michael Wagaman

P.S.- I have included representatives of all four caucuses and Ms. Mac Donald on this e-mail string.

--

--
Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]

--

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Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:13 AM

[Quoted text hidden]

Torres, Kermit <kermit.torres@crc.ca.gov>

MONTTOOTH PRA: Fwd: Finalizing the Calendar

2 messages

Tue, Apr 5, 2011 at 7:01 AM

DiGuilio, Michelle <michelle.diguilio@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

----- Forwarded message -----

From: **DiGuilio, Michelle** <michelle.diguilio@crc.ca.gov>
Date: Mon, Mar 28, 2011 at 9:39 PM
Subject: Fwd: Finalizing the Calendar
To: [REDACTED]

----- Forwarded message -----

From: **Claypool, Daniel** <daniel.claypool@crc.ca.gov>
Date: Mon, Mar 28, 2011 at 6:21 PM
Subject: Finalizing the Calendar
To: Andre Parvenu <andre.parvenu@crc.ca.gov>, Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Christina Shupe <christina.shupe@crc.ca.gov>, "Claypool, Daniel" <daniel.claypool@crc.ca.gov>, Cynthia Dai <cynthia.dai@crc.ca.gov>, "DiGuilio, Michelle" <michelle.diguilio@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, "Galambos-Malloy, Connie" <connie.galambos-malloy@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>, Lilbert Ontai <lilbert.ontai@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Raul Villanueva <Raul.Villanueva@crc.ca.gov>, Rob Wilcox <rob.wilcox@crc.ca.gov>, "Sargis, Janeece" <janeece.sargis@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>, Karin Mac Donald <[REDACTED]>

Commissioners, Staff and the Staff of Q2,

Here's the final version of the calendars with Q2's input. As I stated in the meeting last Friday, we needed to know what amount of time Q2 would need between the iterations of the maps. This version incorporates input from Q2's staff and have been approved by Chairman Ontai in advance of your review.

None of the venues have changed with the exception of Bakersfield being added in April and Stockton coming later in the post-review phase.

The biggest changes have come in the time periods needed by Q2 for the line drawing and for your input on the draft maps.

First, the "regional wrap ups" will be at the beginning of the final regional meeting and will require an executive summary of the material gathered during the regional meetings and instructions from the Commission on what the line drawer should consider when drawing the maps. As I understand it, Q2 will provide the summary. Your staff will be responsible for sending the data being collected on-line or by mail to Q2 staff three times a day so that the information can be cataloged with the information being obtained at the regional meetings. At the end of each regional meeting, a second wrap up will occur for the information received just in that meeting and during the meeting by your staff. Additional instructions may follow from you to the line drawer at that time.

At the end of May, the Commission will hold the two organized group engagement meetings. At the end of the second meeting in Northridge, there will be a day devoted to providing the overall instructions to the line drawer for the first set of maps that will be provided for public display. Following that meeting, the line drawer will spend four days drafting the first maps before they meet with the Commission. June 2nd and June 7th will be optional meetings that the line drawer may request for additional instruction. On the 9th and 10th the Commission will meet for a business meeting at a location to be selected and announced 14-days in advance. On the 10th the initial maps will be released for the 14-day noticing period. Plotted maps (hard copies) will not be available until later in the week.

Following the public review period, the Commission will begin its regional hearings. On June 27th, the Commission will provide another regional wrap up of the information provided at all of the regional hearings. The line drawer will have eight full days to draw the second draft maps with optional meetings on July 1st and 5th for additional instruction if needed. The second set of draft maps and the first reports will be released on July 7th. Following the five day public review period, the Commission will go out on an eight day tour of sites To Be Determined before giving the final wrap up instructions to the line drawer on July 20th. July 22nd and 23rd are reserved as the last day that instruction can be given to the line drawers before they need to finalize the maps. The final release will be July 28th with the fourteen day public review period over one day later than planned on August 11th. The 12th, 13th, and 14th will be agendized to prepare the maps for submission on the agendized 15th.

Commissioner, please look at the maps and provide your comments directly to me with a "cc" to the Chair and Vice-Chair. Note typos, formating errors, etc., and we'll change them tomorrow. Changes to hearing and meeting dates will have to be cleared through Chair and the Vice-Chair. Staff and Q2, please provide your comments directly to me and I'll forward them to the Chair and Vice-Chair.

Thank you,

--

Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]

--

Michelle R. DiGuilio, Commissioner
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Michelle R. DiGuilio, Commissioner
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5 attachments

 **Copy_Cal_April_Draft(1).xlsx**
14K

Cal_May_Draft(1).xlsx

 14K

 **Cal_June_Draft(1).xlsx**
17K

 **Cal_July_Draft(1).xlsx**
17K

 **Cal_Aug_Draft(1).xlsx**
14K

Fri, Apr 8, 2011 at 10:13 AM

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

----- Forwarded message -----

From: **DiGuilio, Michelle** <michelle.diguilio@crc.ca.gov>

[Quoted text hidden]

5 attachments

 **Copy_Cal_April_Draft(1).xlsx**
14K

 **Cal_May_Draft(1).xlsx**
14K

 **Cal_June_Draft(1).xlsx**
17K

 **Cal_July_Draft(1).xlsx**
17K

 **Cal_Aug_Draft(1).xlsx**
14K

July

2011

CRC Meeting/Hearing Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 Commission District Line Drawing *As Necessary Last Day to Notice TBD 7/15	2 Last Day to Notice TBD 7/16
3	4	5 Commission District Line Drawing *As Necessary Last Day to Notice TBD 7/17	6 Commission District Line Drawing *As Necessary Business Meeting TBD Last Day to Notice TBD 7/20	7 Commission District Line Drawing *As Necessary Business Meeting TBD Review 2nd Draft Maps and First Report Drafts	8 Public Review Period	9 Public Review Period
10 Last Day to Notice TBD 7/17	11 Last Day to Notice TBD 7/18	12 Last Day to Notice TBD 7/19	13 Last Day to Notice TBD 7/20	14 Last Day to Notice TBD 7/21	15 Last Day to Notice TBD 7/22	16 Last Day to Notice TBD 7/23
Public Review Period						
17	18	19	20	21 End of 14-Day Noticing Period - 2nd Drafts Maps and First Report Maps	22 Commission District Line Drawing *As Necessary	23 Commission District Line Drawing *As Necessary
24 TBD	25 TBD	26 Business Meeting TBD	27 Business Meeting TBD	28 Release Final Draft Maps and Reports Business Meeting TBD	29 Commission District Line Drawing *As Necessary	30 Commission District Line Drawing *As Necessary

Business Meeting,
* if Necessary

Pre-Map Input Hearings w/Line
Drawer Staff

Post-Map Input Hearings w/Line
Drawer Staff

Commission open meeting to
review and direct Line Drawer's
work as needed

August 2011

CRC Meeting/Hearing Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

 Business Meeting, * If Necessary
 Pre-Map Input Hearings w/Line Drawer Staff
 Post-Map Input Hearings w/Line Drawer Staff
 Commission open meeting to review and direct Line Drawer's work as needed

Line Drawer presents final maps and reports to the commission
 Business Meeting Sacramento *As Necessary

Business Meeting Sacramento Commission Certifies the Maps and Reports to the S.O.S

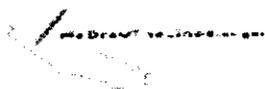
Pre-Map Input Hearings w/Line Drawer Staff

Pre-Map Input Hearings w/Line Drawer Staff

Business Meeting Sacramento *End of Final 14-Day Notice

Line Drawer presents final maps and reports to the commission
 Business Meeting Sacramento *As Necessary

Line Drawer presents final maps and reports to the commission
 Business Meeting Sacramento *As Necessary



Torres, Kermit <kermit.torres@crc.ca.gov>

Montooth PRA

4 messages

Filkins-Webber, Jodie <jodie.filkins-webber@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Mon, Apr 11, 2011 at 8:34 AM

The attached documents are one set of materials handed out by Karin MacDonald at the CRC meeting with the first 8 commissioners in Dec. 2010. Because the document was two sided, I had to scan separately - the first attachment is the odd numbered pages and the second is the even number.

I have no other documents, emails, etc. from Ms. MacDonald.
Jodie Filkins Webber

----- Forwarded message -----

From: **Jodie P. Filkins** <[REDACTED]>
Date: Sat, Apr 9, 2011 at 12:37 PM
Subject: Attachment
To: jodie.filkins-webber@crc.ca.gov
Cc: Jodie Filkins <[REDACTED]>

Jodie P. Filkins, Esq.
Law Offices of Susan Gorelick
[REDACTED]
Orange, CA 92868
[REDACTED]

2 attachments

-  **Redistricting California2.pdf**
765K
-  **Redistricting California.pdf**
743K

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Mon, Apr 11, 2011 at 8:41 AM

[Quoted text hidden]

2 attachments

-  **Redistricting California2.pdf**
765K
- Redistricting California.pdf**

 743K

Villanueva, Raul <raul.villanueva@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Mon, Apr 11, 2011 at 9:30 AM

FYI:

As we discussed last week, I do not need all of the responses to the PRA's.

Only send me the new PRAs as they come in.

Raul

[Quoted text hidden]

--

Raul Villanueva
Business Manager
Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
[REDACTED]

2 attachments **Redistricting California2.pdf**
765K **Redistricting California.pdf**
743K

Torres, Kermit <kermit.torres@crc.ca.gov>
To: "Villanueva, Raul" <raul.villanueva@crc.ca.gov>

Mon, Apr 11, 2011 at 9:32 AM

Sorry I read this email wrong.

[Quoted text hidden]

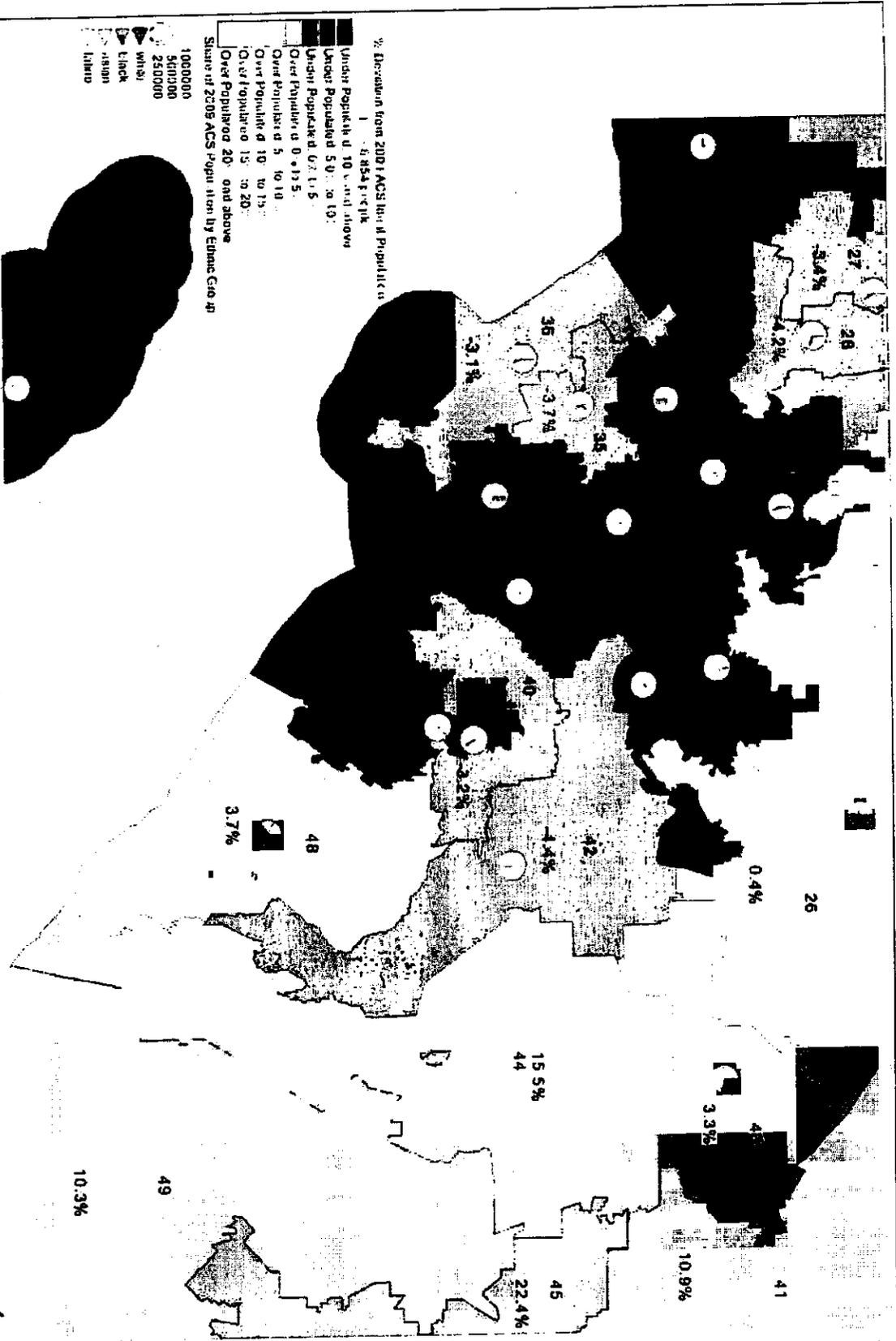
That's it for now!

Any questions?

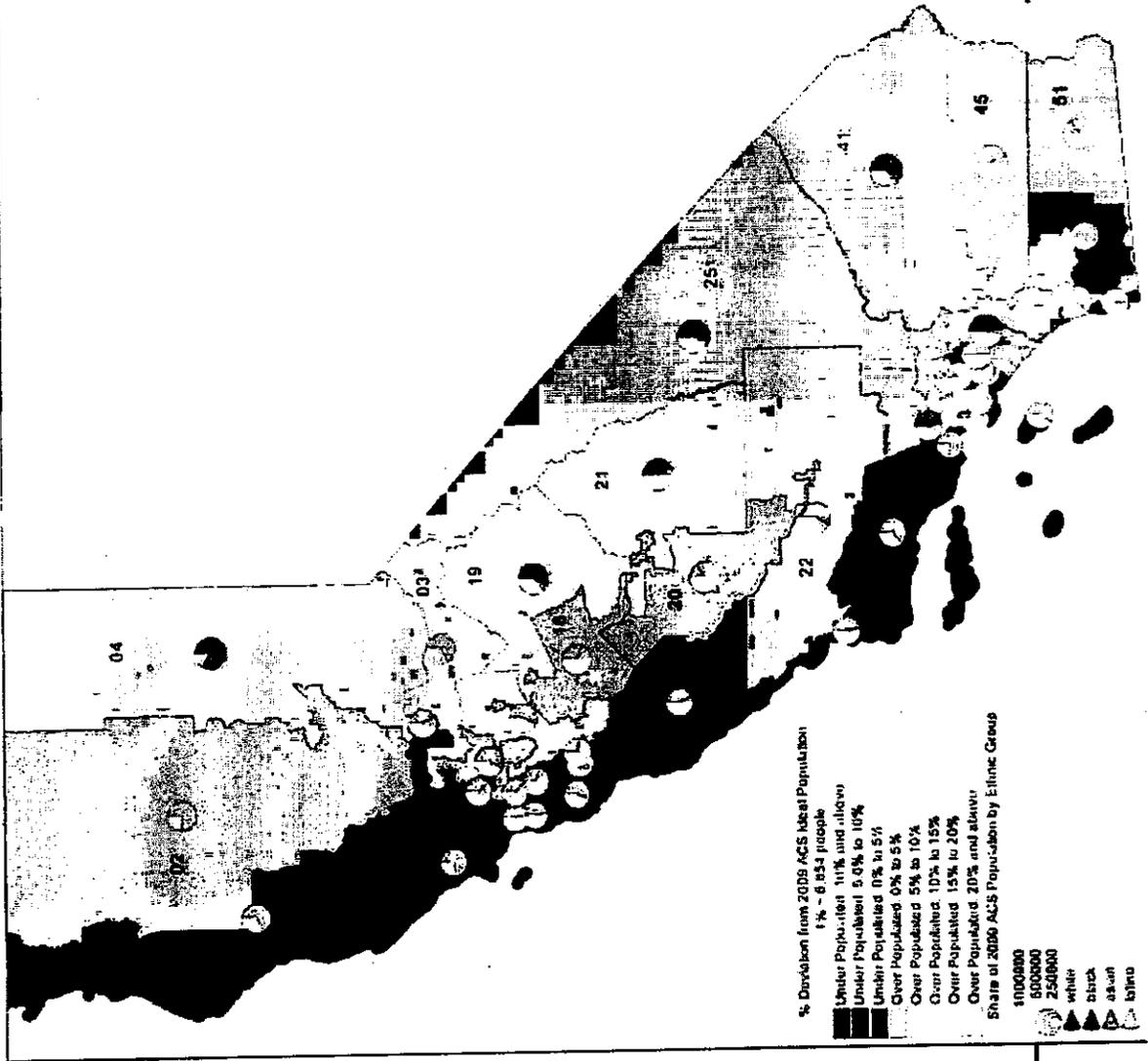
Public Participation and What is happening now?

- Importance of having a public process
- How can people participate?
- Accepting public testimony, maps, data
- Redistricting Assistance Centers
- Website with Educational Materials

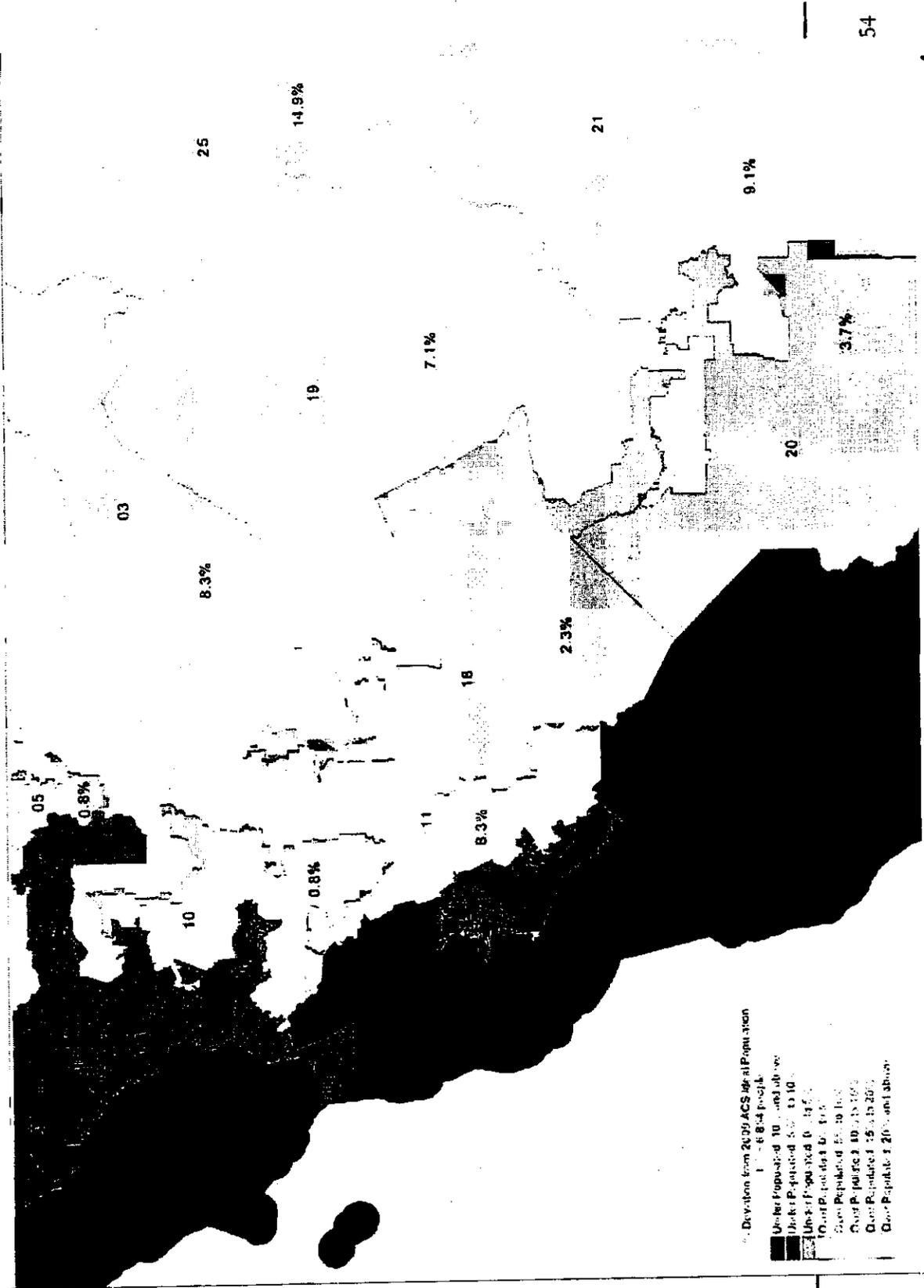
Deviation from 2009 ACS Ideal Population – Los Angeles Area with District Population by Ethnicity



California Congressional Districts Deviation from 2009 ACS Ideal
with District Population by Ethnicity



Deviation from 2009 ACS Ideal Population - San Francisco Bay Area



Communities of Interest continued:

- Defining them top-down versus bottom-up
- Big difference here! (variables etc.)
 - Race/Ethnicity (SCOTUS cases: stereotyping)
- Defining CoIs may be especially important within the API group: multi/pan-ethnic populations

CA's new definition of 'community of interest'

'A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process.'

Redistricting Criteria and Data used:

Equal Population – PL94-171

Compliance with Federal Law (VRA) – PL94-171, SOR, SOV

Compactness – Census Geography

Contiguity – Census Geography

Respect for City and County boundaries – Census Geography

Respect for Neighborhoods – Public Testimony, Data/Geography
submitted by Public, Cities/Counties, etc.

Respect for Communities of Interest – Public Testimony,
Data/Geography submitted by Public

Why are we talking about the Statewide Database?

- (b) The Legislature shall take all steps necessary to ensure that a complete and accurate computerized database is available for redistricting, and that procedures are in place to provide the public ready access to redistricting data and computer software for drawing maps. Upon the commission's formation and until its dissolution, the Legislature shall coordinate these efforts with the commission.

Data Complexities:

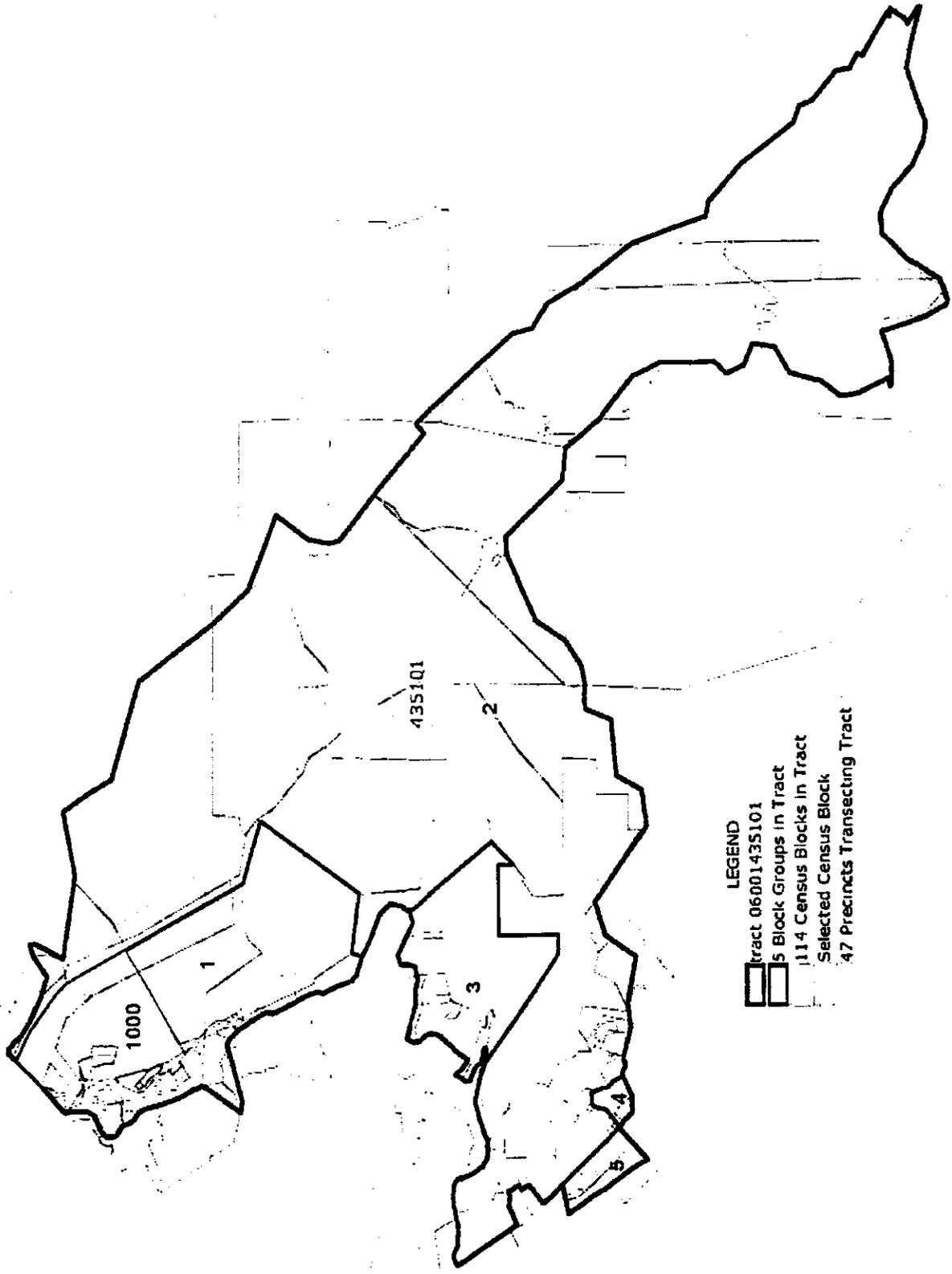
- Task: build dataset comparable on same unit of analysis over time ... available for redistricting (2011)
- Why is this difficult?
 - Election results reporting geography changes frequently (precincts)
- What's the solution?
 - Answer: census blocks

Data and reporting geography

- P194-171
 - Census block (constant for 10 years)
 - Statements of Vote (SoV)
 - Voting precinct (frequent changes)
 - Statements of Registration (SoR)
 - Registration files: individual level data

Alameda County, California

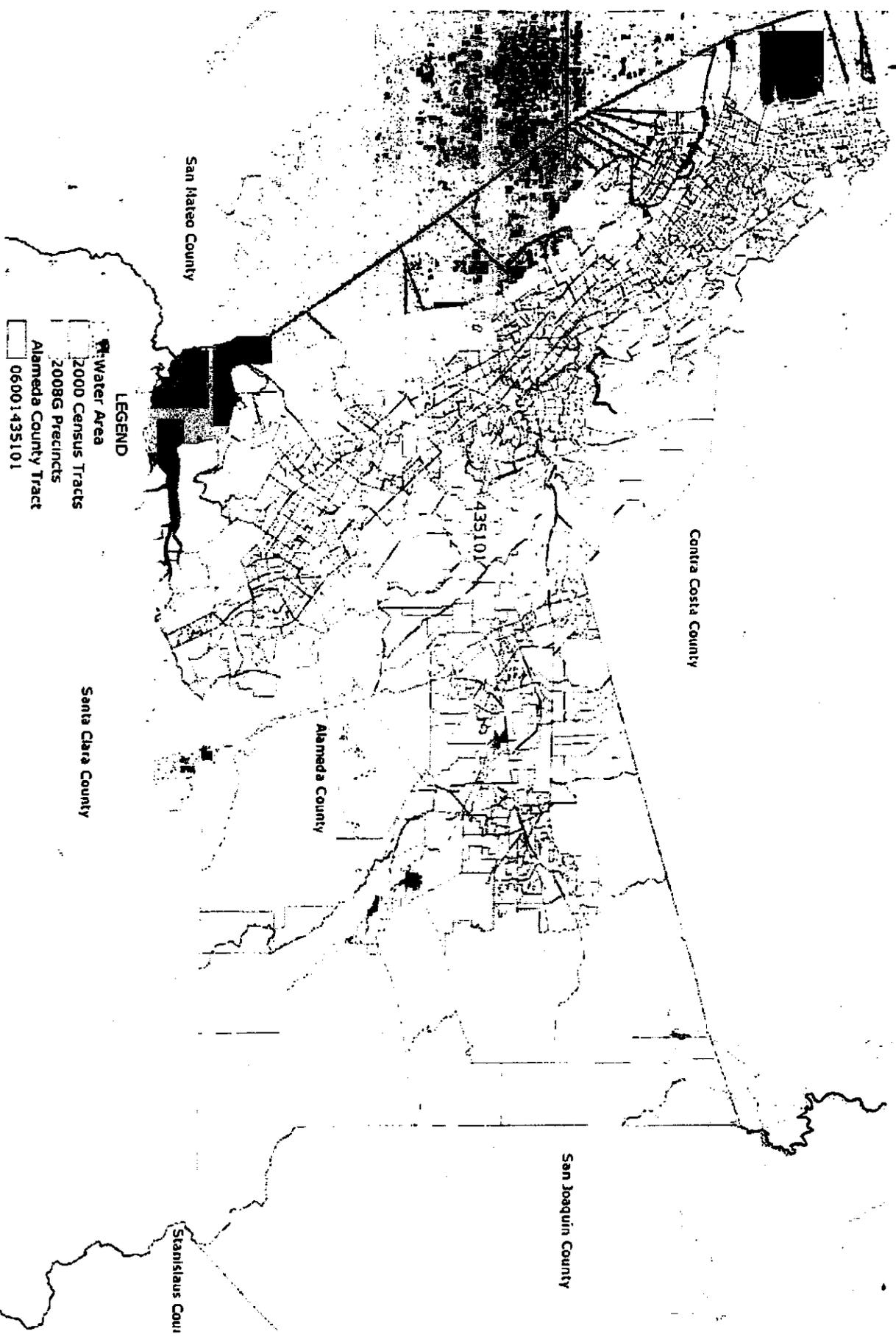
2000 Census Tract 435101



LEGEND

-  Tract 06001435101
-  5 Block Groups in Tract
-  114 Census Blocks in Tract
-  Selected Census Block
-  47 Precincts Transecting Tract

Alameda County, California
2008 General Election Precincts (1,504 in county)



LEGEND
Water Area
2000 Census Tracts
2008G Precincts
Alameda County Tract
06001435101

San Mateo County

Contra Costa County

Alameda County

Santa Clara County

San Joaquin County

Stanislaus County

Electoral Geography

Precincts

- Smallest unit of analysis for reporting of electoral data.
- Many precincts change with each election**

Electoral geography that must be redistricted:

- Assembly, Senate, and Congressional districts
- City Council and County Board of Supervisor districts
- Board of Equalization districts
- County Hospital Board of Trustees districts, Community College districts, Water districts, Transportation districts, Mosquito Abatement districts, etc.

U.S. Census Bureau TIGER/Line

Topologically Integrated Geographic Encoding and Referencing system

1990 TIGER/Line

- 58 Counties
- 471 Census Places/ Cities
- 5,874 Census Tracts
- 21,554 Census Block Groups
- 400,414 Census Blocks

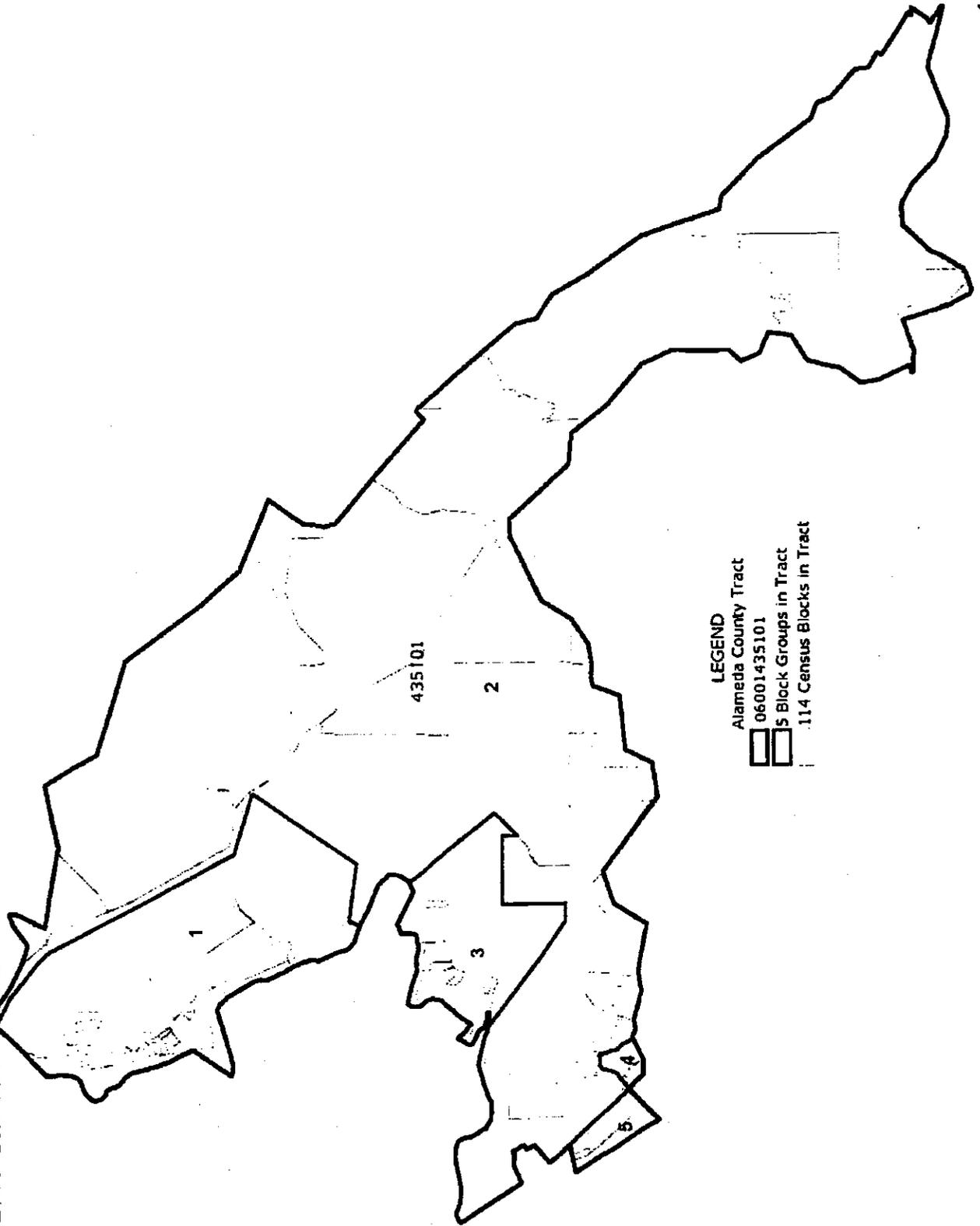
2000 TIGER/Line

- 58 Counties
- 1,018 Census Places/ Cities
- 7,049 Census Tracts
- 22,133 Census Block Groups
- 533,163 Census Blocks

2010 TIGER/Line

- 58 Counties
- ? Census Places/ Cities
- ? Census Tracts
- ? Census Block Groups
- 710,145 Census Blocks

Alameda County, California
2000 Census Blocks in Tract 435101



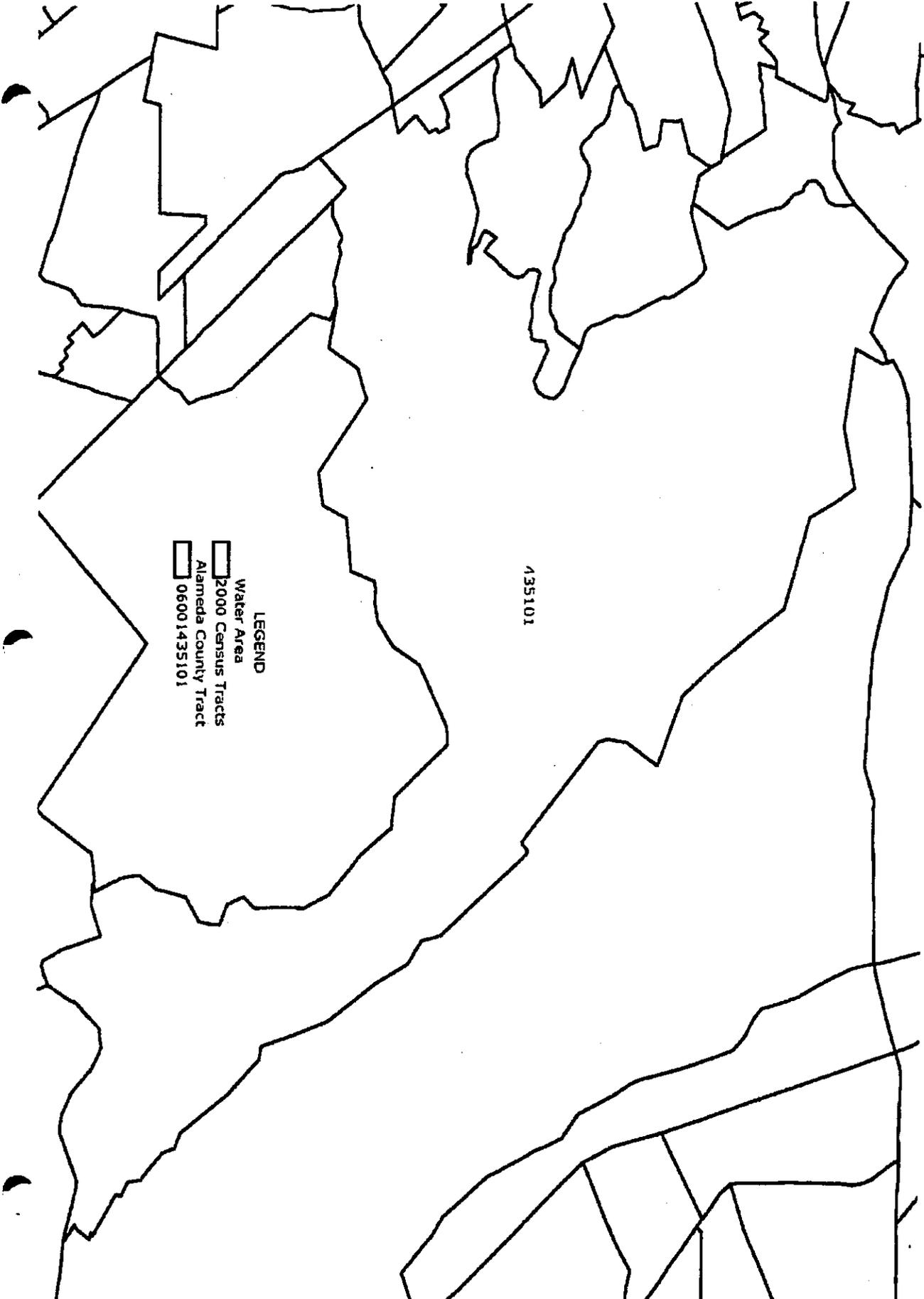
LEGEND

- Alameda County Tract
- 06001435101
- Block Groups in Tract
- .114 Census Blocks in Tract

Alameda County, California
2000 Census Tract 435101

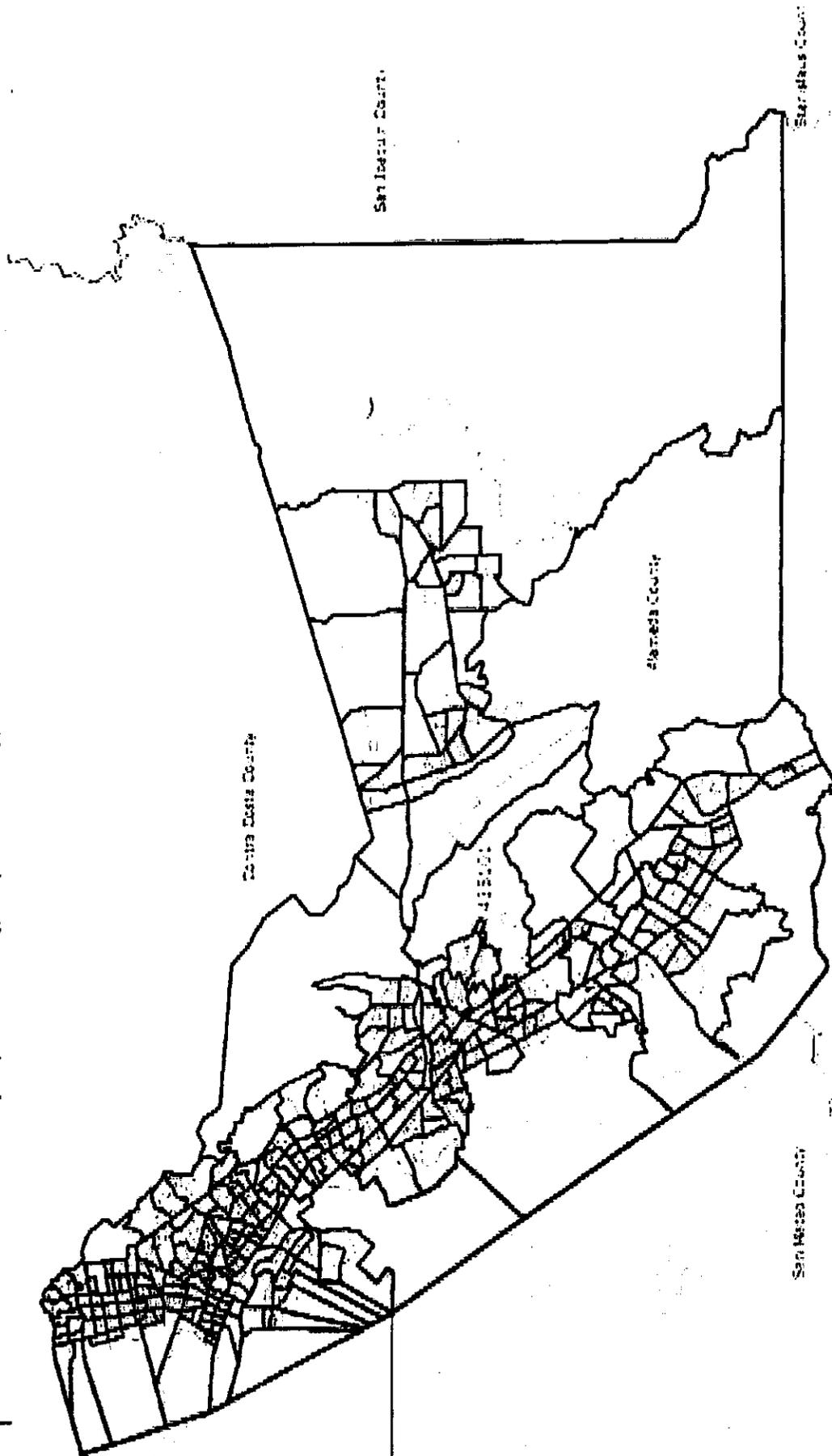
435101

- LEGEND
- Water Area
 - 2000 Census Tracts
 - Alameda County Tract
 - 06001435101

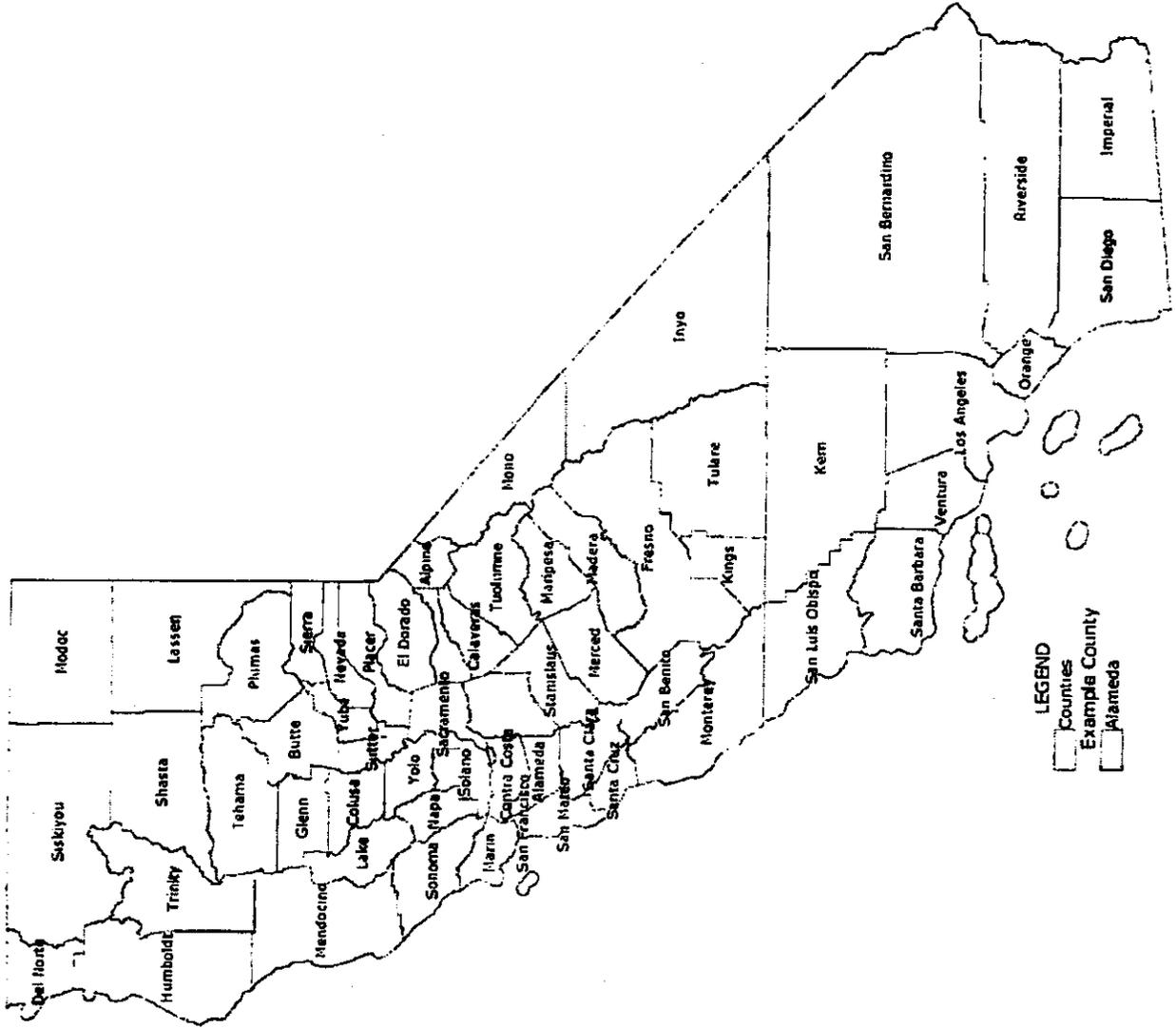


Alameda County, California

2000 Census Block Groups (983 block groups in county)

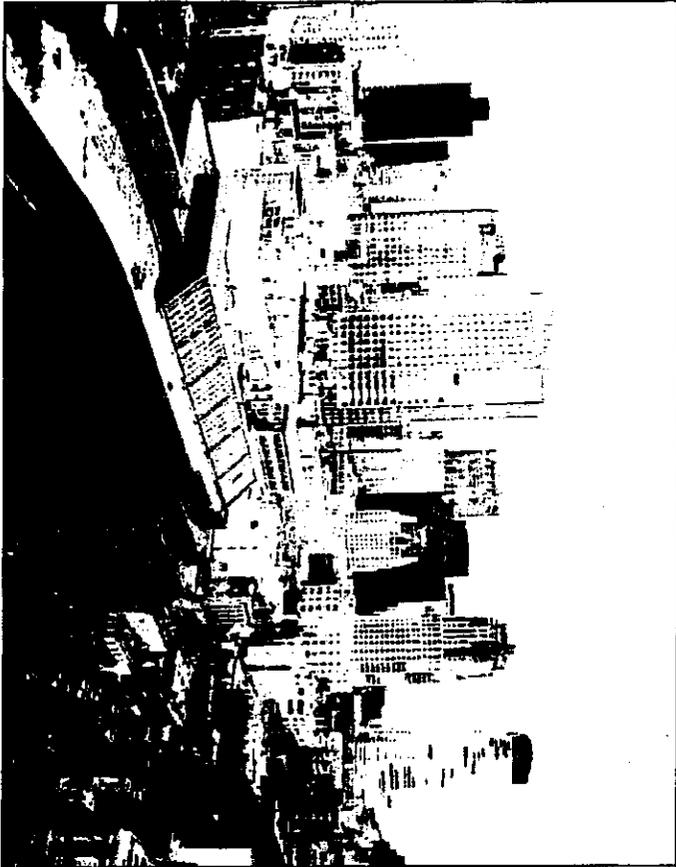


California's 58 Counties



LEGEND
 □ Counties
 □ Example County
 □ Alameda

American Community Survey Economic Characteristics



- Income
- Benefits
- Employment Status
- Occupation
- Industry
- Commuting to Work
- Place of Work

American Community Survey
Demographic Characteristics



- Sex
- Age
- Race
- Ethnicity

2010 PL94 Data Summary Table Subject Layout

P3. Race For The Population 18 Years and Over

P1 variables are repeated for the Population 18 Years and Over

P4. Hispanic or Latino, and Not Hispanic or Latino By Race For The Population 18 Years And Over

P2 variables are repeated for the Population 18 Years and Over

H1. Occupancy Status

Universe: Housing units

Total:

Occupied

Vacant

2010 Decennial Census PL94 Data Summary Tables

<i>Subject</i>	<i>Table #</i>
Race	
<i>Total population</i>	P1
Hispanic or Latino, and Not Hispanic or Latino by Race	
<i>Total population</i>	P2
Race for the Population 18 Years and Over	
<i>Total population 18 years and over</i>	P3
Hispanic or Latino, and Not Hispanic or Latino by Race for the Population 18 Years and Over	
<i>Total population 18 years and over</i>	P4
Occupancy Status	
<i>Housing units</i>	H1

2010 Decennial Census and American Community Survey (ACS)

What's New?

2010 Census used only the “short” form.

The sample data are now collected by the ACS instead of the “long” form.

What's Old?

Short form data must be released by the Census bureau before April 1, 2011, one year following Census day

How equal is equal? Part II – Legislative Districts

- Total deviation within 10% may not constitute a ‘prima facie equal protection violation under the 14th Amendment’
 - Gaffney v Cummings 1973
 - Above 10%: be ready to justify with “substantial and legitimate state interest”
 - Example: preservation of county boundaries
 - Larios v Cox, 2004: Legislature believed that w/in +/-5% is ‘safe harbor’ – not necessarily!
-

Equal Population

- That's why we do it!
- Constitutional requirement
- One person, One vote
- 14th Amendment: Equal protection clause

- How equal is equal???

...moving on to Data in Redistricting!

- Which data are used to draw lines?
- Which data are used for which criterion?
- Which data are easily accessible?
- Which ones are not?
- Which data sources are available but difficult (or impossible?) to use?

CA Demographic* & Current Commission Breakdown

*2009 ACS 1 yr. estimate

Total Population	36,961,664
White, not of Latino Origin (25%)	41.5%
Latino (12.5%)	37.0%
Asian, not of Latino Origin (50%)	12.3%
Black, not of Latino Origin (12.5%)	5.8%
Hawaiian/Pacific Islander, not of Latino Origin	0.3%
American Indian/ Alaska Native alone, not of Latino Origin	0.4%
All other races, not of Latino origin	0.3%

Who we are and what we will do today:

- Karin's and Nicole's redistricting experience
- Statewide Database: Redistricting Database for the State of California – <http://swdb.berkeley.edu>
- Overview of this session:
 - Review the task of selecting 6 additional commissioners
 - Introduce Data used in Redistricting
 - Live Demo on moving lines and how districts are constructed
 - Practical considerations re: public input and the process in general
 - Questions & Answers

Redistricting California: An Overview of Data, Processes & GIS

Karin Mac Donald & Nicole Boyle
Statewide Database – Berkeley Law

██████████ – ██████████
██████████

Criteria on which the remaining 6 commissioners shall be selected:

- The six appointees shall be chosen to ensure the commission reflects this state's diversity, including, but not limited to, racial, ethnic, geographic, and gender diversity. However, it is not intended that formulas or specific ratios be applied for this purpose. Applicants shall also be chosen based on relevant analytical skills and ability to be impartial. (legal guide p 7/8)
- Analytical Skills – includes ability to understand technical materials incl. maps and statistical info; resolve complex problems
- Ability to be impartial – includes ability to evaluate information with an open mind; make decisions that set aside personal views/interests

Reflecting the State's diversity: why is it important?

- Appearances matter!
 - Experience working with diverse communities
 - Increases collective knowledge of State's geography and uniqueness
 - Brings different voices to the commission
-

Redistricting Criteria and Data used:

Equal Population – PL94-171
Compliance with Federal Law (VRA) – PL94-171, SOR, SOV

Compactness – Census Geography
Contiguity – Census Geography
Respect for City and County boundaries – Census Geography

Respect for Neighborhoods – Public Testimony, Data/Geography
submitted by Public, Cities/Counties, etc.

Respect for Communities of Interest – Public Testimony,
Data/Geography submitted by Public

How equal is equal? Part I: Congress

- Strict population equality in CDs
- No Deviation is too small to worry about
 - (if it could have been avoided)
- Translation: 28 States' CDs had total deviation of less than 10 people after 2000 round of redistricting!

2000 Decennial Census

Census 2000 used 2 forms:

1. The “short” form – asked for basic demographic and housing information, i.e. age, sex, race, ethnicity, # of people in housing unit, renter/owner

EVERY HOUSEHOLD RECEIVED THIS FORM

2. The “long” form – collected the same information as the short form plus income, education, citizenship, language spoken at home, etc.

ONE IN SIX HOUSEHOLDS RECEIVED THIS FORM

Long form data aka “sample data.”

Short form data aka “100 percent data” (or 100% sample)

2010 Decennial Census PL94-171 Data

- Basic Information/ Data that jurisdictions are required by law to use for Redistricting
- Census 2010 Redistricting Data (Public Law 94-171, or "PL94") contains the count of the U.S. population
- Is a BLOCK-LEVEL dataset
- Includes data on people's race and ethnicity, for both the total and the voting age population
- Information is based on answers to the questions in the Census 2010 Short-Form questionnaire.
- There are 5 detailed tables available in the PL94-171 data product.

2010 PL94 Data Summary Table Subject Layout

P1. Race

Universe: Total population

Total:

Population of one race:

White alone

Black or African American alone

American Indian and Alaska Native alone

Asian alone

Native Hawaiian and Other Pacific Islander alone

Some other race alone

Repeats for the Population of two or more races.....

P2. Hispanic or Latino, and Not Hispanic or Latino by Race

Universe: Total population

Total:

Hispanic or Latino

Not Hispanic or Latino:

Population of one race:

White alone

Black or African American alone

American Indian and Alaska Native alone

Asian alone

Native Hawaiian and Other Pacific Islander alone

Some other race alone

Repeats for the Population of two or more races.....

2010 Census and American Community Survey (ACS)

- nationwide survey that replaces the long-form
 - collects same information on people and housing as the long-form questionnaire used in Census 2000.
 - is an on-going survey versus data released on PL94-171, which are collected on “census day” (April 1, 2010)
 - is released in “multi-year estimates” on census block-group level
- The ACS does NOT release data on the census block level!

Detailed demographic, social, economic, and housing data are no longer collected as part of the decennial census.

ACS data can be grouped into four main types of characteristics – **social, economic, housing, and demographic**

American Community Survey
Social Characteristics



- Education
- Marital Status
- Fertility
- Grandparent Caregivers
- Citizenship
- Veteran Status
- Disability Status

- Place of Birth
- Citizenship
- Year of Entry
- Language Spoken at Home
- Ancestry / Tribal Affiliation

American Community Survey Housing Characteristics



- Tenure
 - Occupancy & Structure
 - Housing Value
 - Taxes & Insurance
 - Utilities
 - Mortgage/Monthly Rent
- And our personal favourite: PLUMBING!

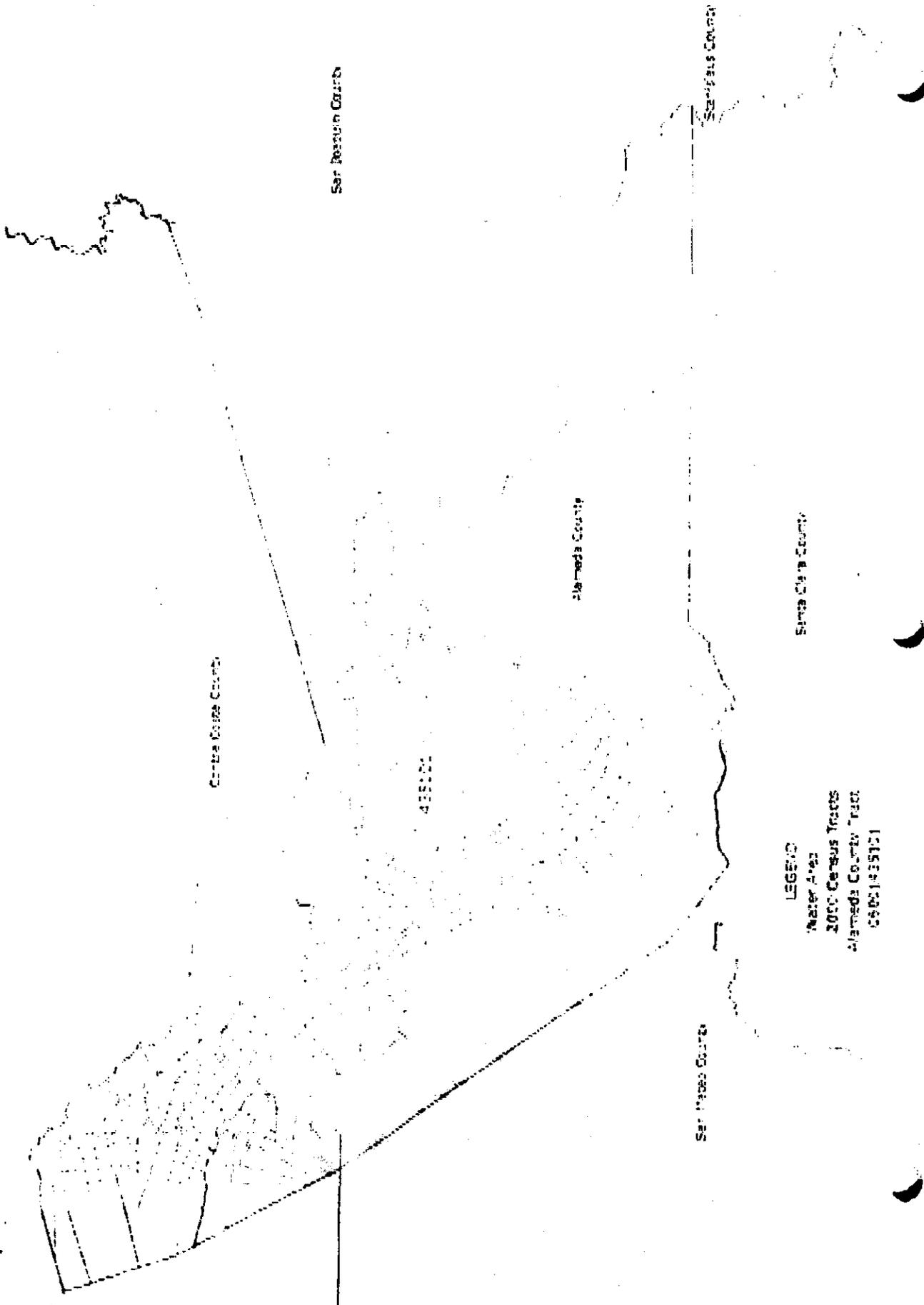


District Building Blocks: U.S. Census Geography

- Blocks: smallest 'unit of analysis' on which data are reported"
- Block groups
- Tracts
- Places (cities)
- Counties
- State

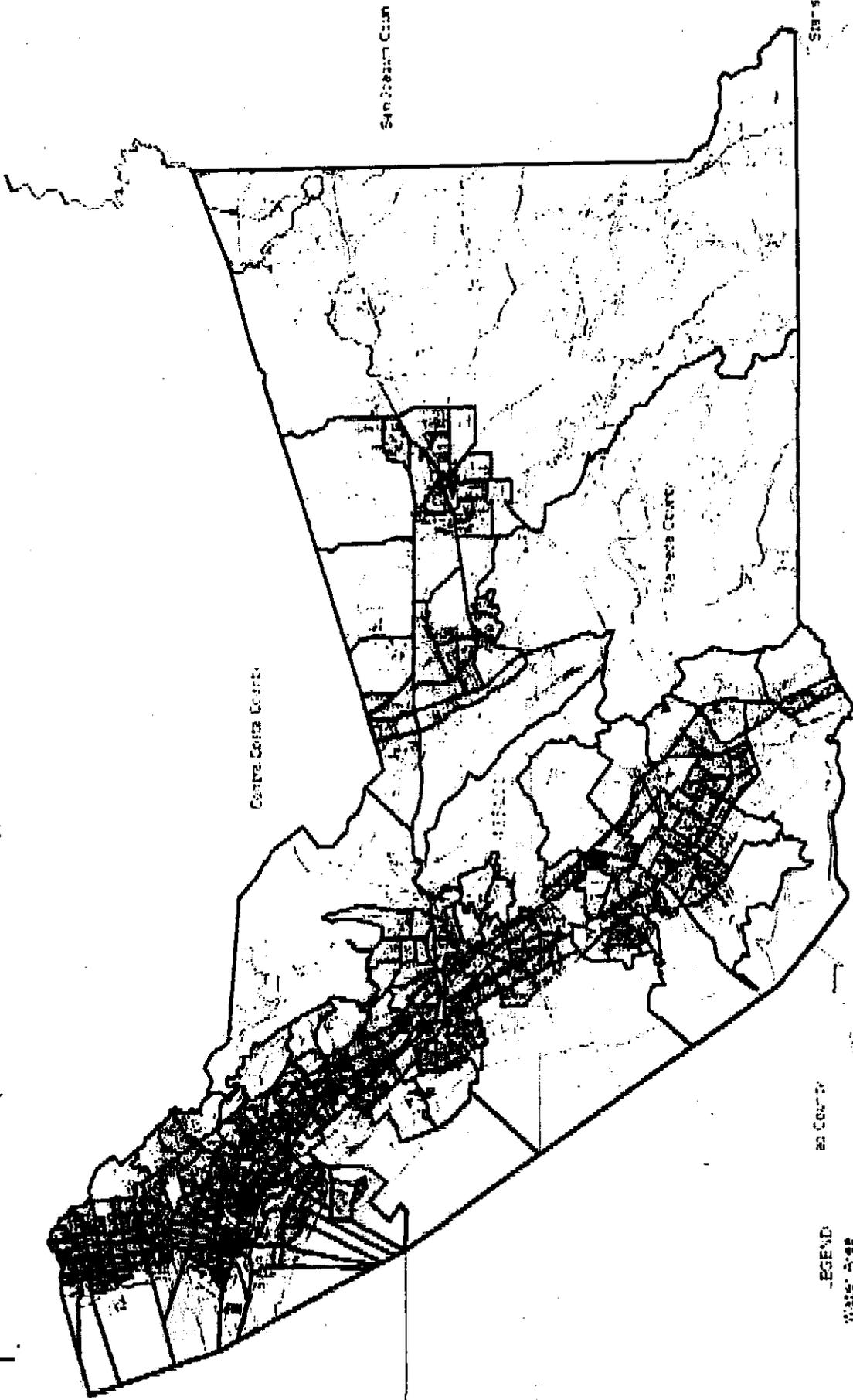
Alameda County, California

2000 Census Tracts (321 tracts in county)



Alameda County, California

2000 Census Blocks (14,931 blocks in county)



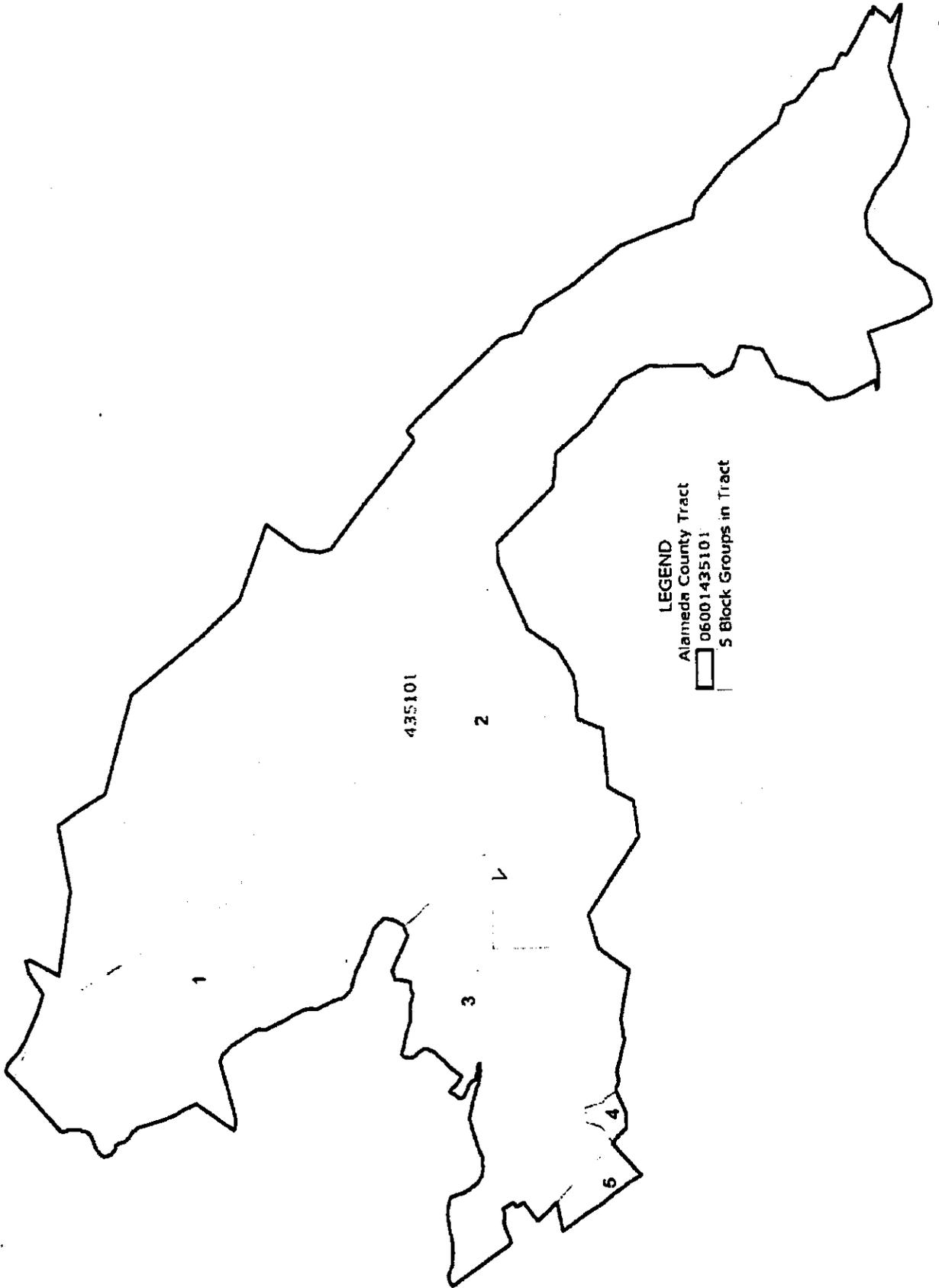
in County

LEGEND

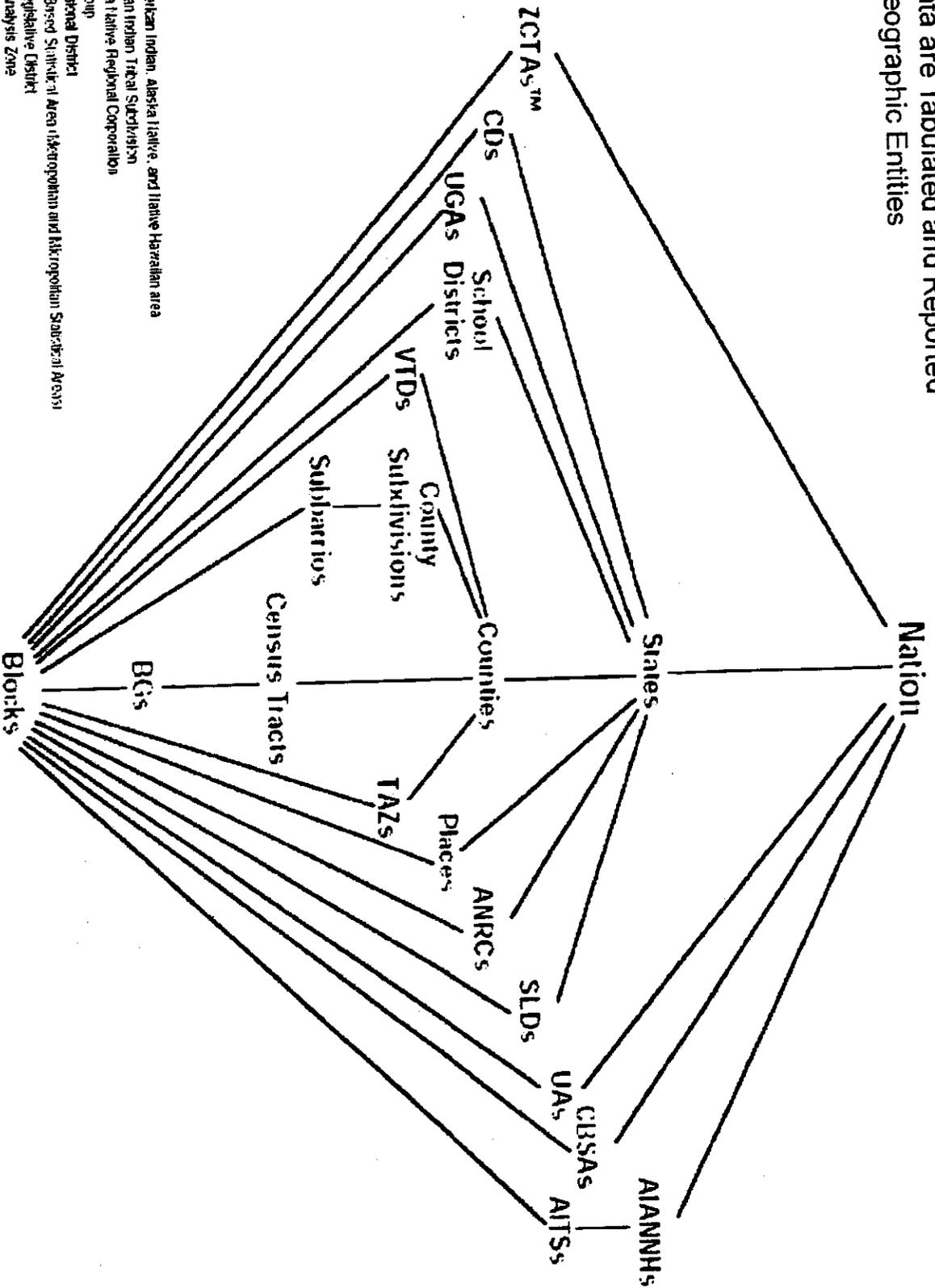
- Water Area
- 2000 Census Tracts
- 2000 Block Groups
- 2000 Census Blocks
- Alameda County Tract
- 05001403100

Alameda County, California

2000 Census Block Groups in Tract 435101



PL94 Data are Tabulated and Reported
for All Geographic Entities



- AIANNHs: American Indian, Alaska Native, and Native Hawaiian area
- AITs: American Indian Tribal Subdivision
- ANRCs: Alaska Native Regional Corporation
- BG: Block Group
- CD: Congressional District
- CBSA: Core Based Statistical Area (Metropolitan and Micropolitan Statistical Areas)
- SLD: State Legislative District
- TAZ: Traffic Analysis Zone
- UA: Urban Area
- UGA: Urban Growth Area
- VTD: Voting District
- ZCTA™: ZIP Code Tabulation Area

Election Data! Why are those needed???

Voting Rights Act: Sections 2 & 5

Section 2 – Majority Minority Districts

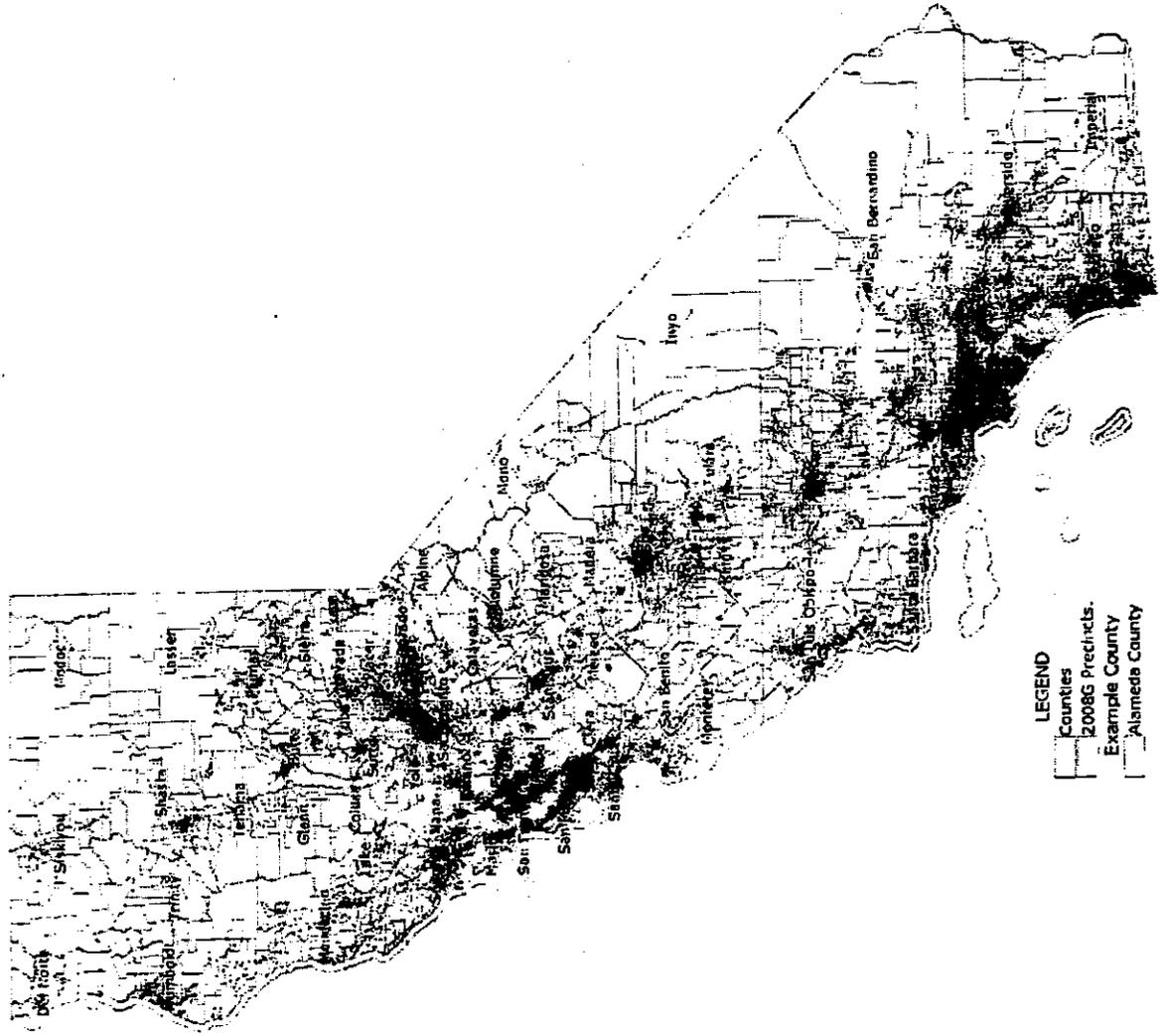
- >Minority group must be large enough to constitute a majority in the district (50%+)
- >Minority group must be geographically compact
- >Minority group votes cohesively
- >There must be evidence of polarized voting against the minority group

NOTE: Sec 2 does NOT prohibit the drawing of “influence seats” nor considering racial/ethnic Communities of Interest

Section 5 – Preclearance and Retrogression

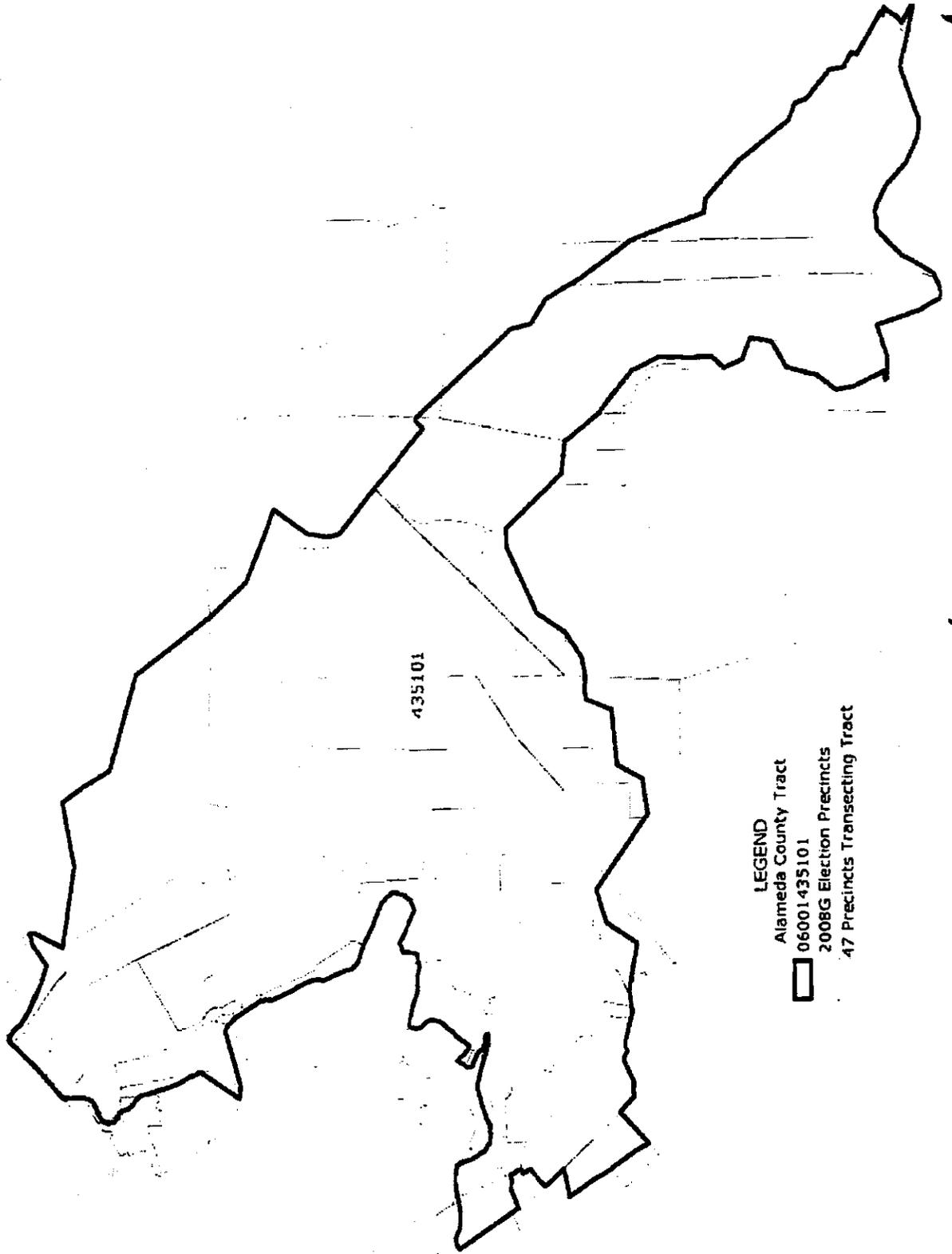
- > Kings, Merced, Monterey, Yuba

**2008 California General Election
62,404 Precincts in the State**



Alameda County, California

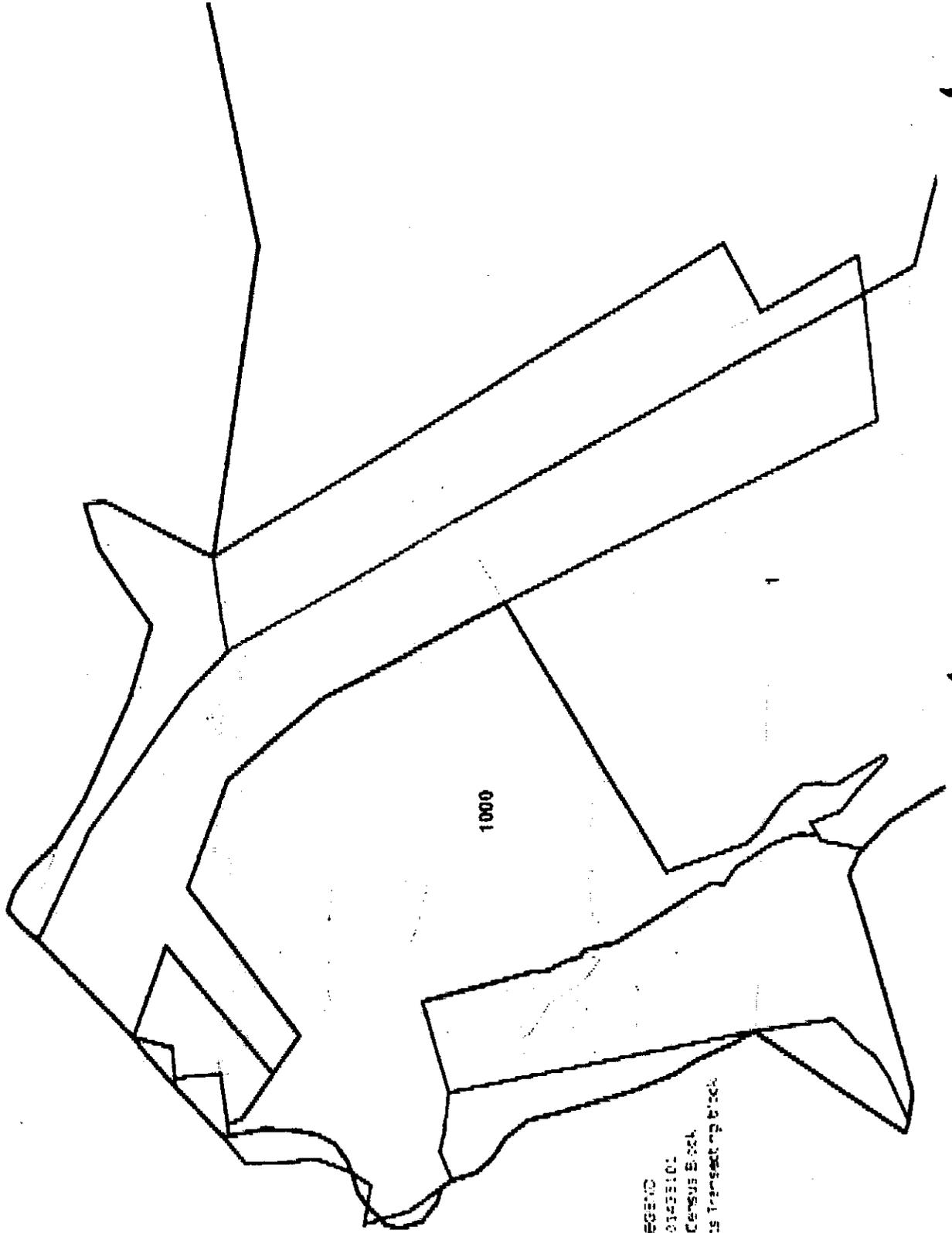
2008G Precincts that are contained or partially contained in 2000 Census Tract 435101



- LEGEND**
- Alameda County Tract
 - 06001435101
 - 2008G Election Precincts
 - 47 Precincts Transecting Tract

Alameda County California

Census Block 1000 with transecting 2008G precincts



LEGEND

- Prec: 15001423101
- Selected Census Block
- Precincts Transecting Block

SoV & SoR

- SoV variables:
 - Total Vote
 - Votes for Races and Propositions
- SoR variables:
 - Total Registration
 - Party ID
 - Sex/Gender
 - Age
 - Cycles Registered
 - Race/Ethnicity – surname matched

The Statewide Database

- The State of California's Redistricting Database
- History
- Data Collection:
 - Census
 - Registrars of Voters/County Clerks

A Quick Overview of the Statewide Database (SWDB)

The Database includes:

- I. Census & Electoral Data
- II. Census & Electoral Geography
- III. Conversion files
- IV. Data Reports & Maps
- V. Redistricting & Census News and Court case archive
- VI Redistricting Research

<http://swddb.berkeley.edu>

Criteria for which data are not easily available:

Communities of Interest:

What is a Community of Interest? It depends...

Group of people with specific common interest

(“actual shared interests” Miller v Johnson, 1995)

Can be defined geographically

What are they NOT?

In CA: Communities of interest shall not include relationships with political parties, incumbents, or political candidates

Neighborhoods:

Vary in size

Are sometimes defined by cities (often poorly), and/or communities

No data sources available that show neighborhoods statewide

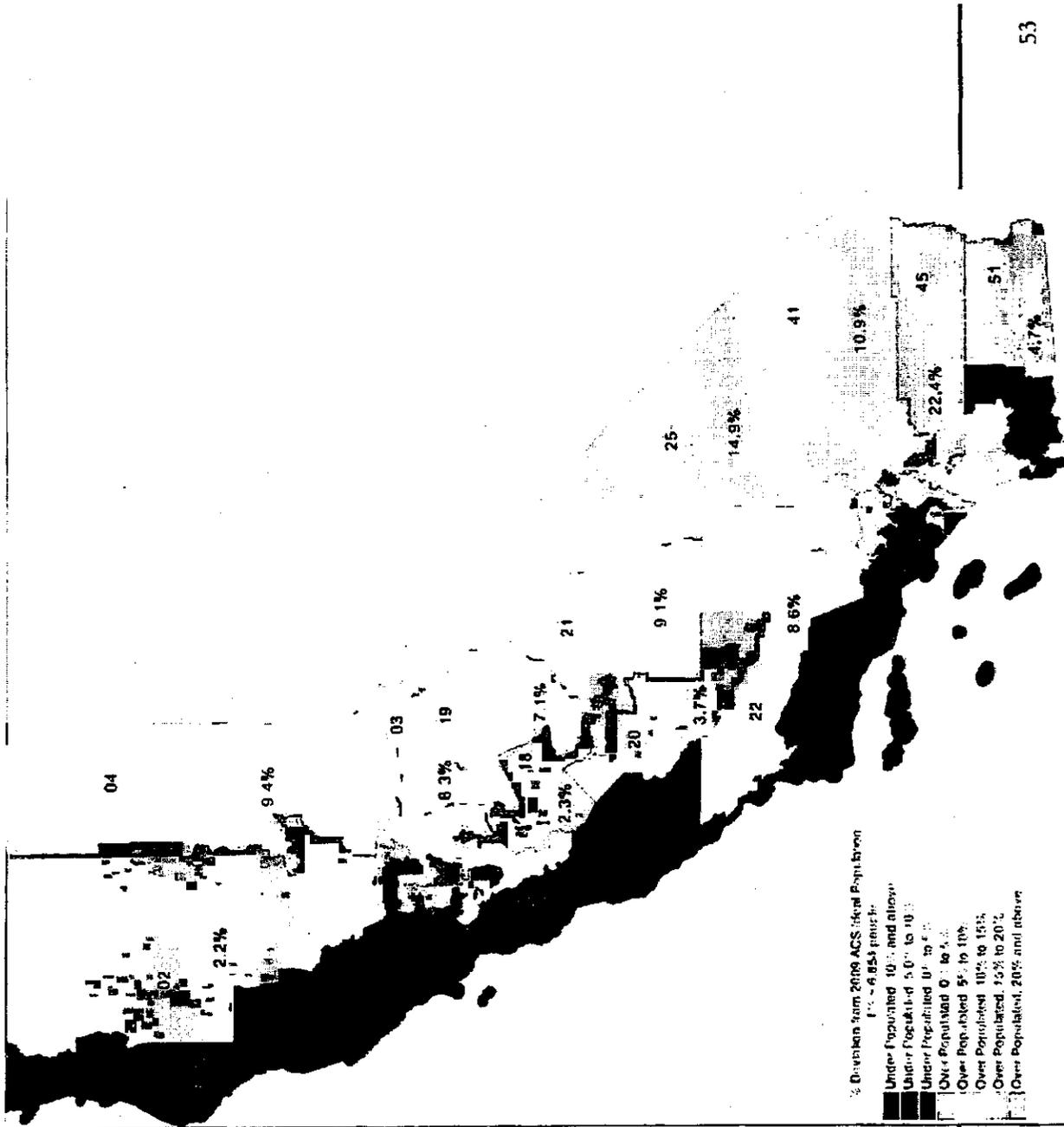
Need to be documented and submitted

Community of Interest definitions may include:

- Organizing around schools, school districts
- Transportation hubs
- Community Centers
- Dog parks

- If race/ethnicity are raised, it may summarize:
 - Shared experiences
 - Access (or lack of) to education
 - Higher number of kids per household
 - Younger overall population

California Congressional Districts Deviation from 2009 ACS Ideal



Public Input!

- (7) The commission shall establish and implement an open hearing process for public input and deliberation that shall be subject to public notice and promoted through a thorough outreach program to solicit broad public participation in the redistricting public review process. The hearing process shall include hearings to receive public input before the commission draws any maps and hearings following the drawing and display of any commission maps. In addition, hearings shall be supplemented with other activities as appropriate to further increase opportunities for the public to observe and participate in the review process. (legal guide p 9)

Some quick notes about resolution of complex problems and the ability to be impartial...

Lessons learned from research:

Criteria Interactions – example: effects on Compactness

- Majority/Minority Seats
- Preserving City and County Boundaries
- Respecting Communities of Interest

- The Mapper Effect!



Torres, Kermit <kermit.torres@crc.ca.gov>

Fwd: Statement by Karin MacDonalddoc request

1 message

Tue, Apr 12, 2011 at 4:13 PM

Forbes, Stanley <stanley.forbes@crc.ca.gov>

To: "kermit.torres" <kermit.torres@crc.ca.gov>

re montose request this is the only document i have that appearsw responsive to the request

----- Forwarded message -----

From: **Sargis, Janeece** <janeece.sargis@crc.ca.gov>

Date: Tue, Feb 15, 2011 at 5:08 PM

Subject: Statement by Karin MacDonald

To: gabino.aguirre@crc.ca.gov, Andre Parvenu <andre.parvenu@crc.ca.gov>, Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Cynthia Dai <cynthia.dai@crc.ca.gov>, "Galambos-Malloy, Connie" <connie.galambos-malloy@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Lilbert Ontai <lilbert.ontai@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>

Commissioners,

Attached please find a statement by Karin MacDonald in response to public comments made at the February 12 meeting in Claremont. This statement will be posted to the website as soon as possible as a public comment.

 kmd_response_to_public_comments[1].doc
34K



Torres, Kermit <kermit.torres@crc.ca.gov>

Montooth PRA

18 messages

Mon, Apr 4, 2011 at 9:06 PM

ontai1@juno.com [REDACTED]
To: kermit.torres@crc.ca.gov

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: [REDACTED]
Received: from [REDACTED] (mx12.vgs.untd.com [10.181.44.42])
by [REDACTED] with SMTP id AABGYF9ZJA2AUZJA
for [REDACTED] (sender [REDACTED]);
Mon, 21 Feb 2011 16:10:17 -0800 (PST)
Authentication-Results: [REDACTED] DKIM=NONE
Received-SPF: None
Received: from [REDACTED] (cain.Berkeley.EDU [128.32.20.57])
by [REDACTED] with SMTP id AABGYF9ZHAL7AMYJ
for [REDACTED] (sender [REDACTED]);
Mon, 21 Feb 2011 16:10:15 -0800 (PST)
Received: from [REDACTED] (localhost [127.0.0.1])
by [REDACTED] (Postfix) with ESMTP id CB4CA57A53;
Mon, 21 Feb 2011 16:10:36 -0800 (PST)
Received: from localhost (karin@localhost)
by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1M0Aa5k014359;
Mon, 21 Feb 2011 16:10:36 -0800
Date: Mon, 21 Feb 2011 16:10:36 -0800 (PST)
From: [REDACTED]
To: "[REDACTED]"
cc: gabino.aguirre@crc.ca.gov, daniel.claypool@crc.ca.gov
Subject: Re: Cancel our Proposed Meeting
In-Reply-To: [REDACTED]
Message-ID: [REDACTED]
References: [REDACTED]
User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
MIME-Version: 1.0
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X-UNTD-BodySize: 608
X-UNTD-SPF: None
X-UNTD-DKIM: NONE
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X-UNTD-Peer-Info: 128.32.20.57|cain.Berkeley.EDU|cain.berkeley.edu|karin@cain.berkeley.edu
X-UNTD-UBE:-1

----- Forwarded message -----

From: karin@cain.berkeley.edu
To: [REDACTED]
Date: Mon, 21 Feb 2011 16:10:36 -0800 (PST)
Subject: Re: Cancel our Proposed Meeting
hi commissioner ontai
shall we try to talk on the phone?

best,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research

[REDACTED]
Berkeley, CA 94705-7220

p [REDACTED]
f [REDACTED]

On Mon, 21 Feb 2011, [REDACTED] wrote:

Hi Karin,
Given the compressed time for all of us, let's cancel plans to meet. We'll keep you posted as we progress.
Thank you, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Mon, Apr 4, 2011 at 9:07 PM

[REDACTED]
To: kermit.torres@crc.ca.gov

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: <[REDACTED]>
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by [REDACTED] with SMTP id AABGYD6U8AY67VWA
for [REDACTED] (sender <[REDACTED]>)

Sun, 20 Feb 2011 21:04:30 -0800 (PST)

Authentication-Results: [REDACTED] DKIM=NONE

Received-SPF: None

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by [REDACTED] with SMTP id AABGYD6U8AKUN642
for [REDACTED] (sender <[REDACTED]>);

Sun, 20 Feb 2011 21:04:30 -0800 (PST)

Received: from [REDACTED] localhost [127.0.0.1]
by [REDACTED] (Postfix) with ESMTP id 454945B244;

Sun, 20 Feb 2011 21:04:40 -0800 (PST)

Received: from localhost (karin@localhost)
by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1L54eh5006119;

Sun, 20 Feb 2011 21:04:40 -0800

Date: Sun, 20 Feb 2011 21:04:40 -0800 (PST)

From: [REDACTED]

To: [REDACTED] <[REDACTED]>
cc: gabino.aguirre@crc.ca.gov, "Claypool, Daniel" <daniel.claypool@crc.ca.gov>,
"Bonnie E. Glaser" <[REDACTED]>

Subject: Re: Meet with You

In-Reply-To: [REDACTED]

Message-ID: [REDACTED]

References: [REDACTED]

User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)

MIME-Version: 1.0

Content-Type: TEXT/PLAIN; charset=US-ASCII; format=flowed

X-UNTD-BodySize: 1463

X-UNTD-SPF: None

X-UNTD-DKIM: NONE

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[Quoted text hidden]

----- Forwarded message -----

From: karin@cain.berkeley.edu

To: [REDACTED]

Date: Sun, 20 Feb 2011 21:04:40 -0800 (PST)

Subject: Re: Meet with You

hello commissioners and dan

i am training site managers all week so my availability is extremely limited. tomorrow i am training from 9 to 6 by myself and there will not be a working braincell left in me afterwards. on tuesday, they are doing gis training with nicole and i am giving a lunch talk in contra costa county (11 - 2 including driving), and a have an appointment from 4 to 5 off campus, for which i have to leave at 3:30 latest. so that leaves time before 11 am or between 2 and 3:30 or after 5:30 on tuesday. i'm sorry i can't be more flexible. will any of those times work? if not we could video skype perhaps?

best regards

karin

Karin Mac Donald

Director

Statewide Database & Election Administration Research Center

University of California

Berkeley Law, Center for Research
[REDACTED]

Berkeley, CA 94705-7220

p
f

On Mon, 21 Feb 2011, [REDACTED] wrote:

Hi Karin,

Commissioner Gabino and I would like to meet personally with you tomorrow or Tuesday at your site to go over your concerns and to discuss questions we have as well. We would like to finalize our recommendations to the full commission by Friday of this week. Please let me know as soon as possible if we can pin down a meeting day and time. We'll make every effort to be there. Thanks, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Mon, Apr 4, 2011 at 9:09 PM

To: kermitt.torres@crc.ca.gov

FYI

Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov

Please note: forwarded message attached

Return-Path: [REDACTED]
 Received: from [REDACTED] [10.181.44.43]
 by [REDACTED] with SMTP id AABGX97GMARMKT5A
 for [REDACTED] (sender <[REDACTED]>);
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 Received-SPF: None
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 by [REDACTED] with SMTP id AABGX97GMABCG5FA
 for [REDACTED] (sender <[REDACTED]>);
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 by [REDACTED] (Postfix) with ESMTP id 2E35D47AEE;
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 by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1JF5WX026987;
 Sat, 19 Feb 2011 07:59:05 -0800
 Date: Sat, 19 Feb 2011 07:59:05 -0800 (PST)
 From: [REDACTED]
 To: [REDACTED]

cc: "Bonnie E. Glaser" [REDACTED]
 "Claypool, Daniel" <daniel.claypool@crc.ca.gov>,
 Ana Henderson [REDACTED], [REDACTED]
 [REDACTED] [REDACTED]@ucsb.edu

Subject: Re: Dates for Input Meetings

In-Reply-To: [REDACTED]

Message-ID: [REDACTED]

References: [REDACTED]

User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)

MIME-Version: 1.0

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[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
 To: "ontai1@juno.com" [REDACTED]
 Date: Sat, 19 Feb 2011 07:59:05 -0800 (PST)
 Subject: Re: Dates for Input Meetings
 hello commissioner ontai,

thank you for your email and for keeping us in the loop. as you know, the redistricting group at berkeley has been conducting trainings for more than one year. our plan and agreement with our funder was to adapt those trainings into regional workshops. i suggested to the commission that we collaborate on those. when we were told that ccp was going to assist with this, we were assured that the content of the trainings would be left to us, along with whatever format was necessary to teach people about the process.

i was surprised to receive a workshop outline from ccp, especially one that had not been shared with us prior to presentation. this seems to run completely contrary to what my recollection of our agreement is. i was under the impression that ccp would work around what we have developed and adjusted to fit numerous different population groups over the past year, and that they would help with advertising and setting up and provide whatever other support was needed. the outline by ccp does not look anything like a workshop that i would ever suggest holding for this particular topic. to ask people to come to a regional training that includes 45 minutes of teaching is a waste of everyone's time, including our's.

bonnie and i are planning on taking a closer look at the format that was sent and we will mark it up if it is possible to adapt it to what we know works. we will also have to run this by our voting rights attorney, ana henderson, who is unfortunately in africa this week. she does part of the training and has a lot of experience working with communities due to her work for the voting rights division at the department of justice. if it isn't adaptable then we will suggest alternative options which will include doing our workshops separate from what ccp is suggesting, either in terms of another room in the same setting or completely separately from the commission.

i should note here that i am training our regional site managers all week next week, including monday, and that i am working on adapting the training for them this weekend. thus, my availability will be extremely limited, especially since i have to do ana's training as well.

regarding dates for the workshops:

if this collaboration can be salvaged then the dates obviously also have to be agreed upon by us. i have a minimum of 4 people that have to be scheduled to be a different locations throughout the state, and 2 of the 4 have to plan for childcare. i have not seen any dates and i will check in with bonnie to see what she knows.

regarding dates for the input hearings, i am happy to take a look at a draft and give you feedback. those will

depend on how quickly you can get a consultant on board. i am hoping you won't have to go into the field without one.

thank you, again, for taking the time to involve us and for your patience with this process. i've enjoyed working with you.

best regards,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220

p [REDACTED]
f [REDACTED]
[REDACTED]

On Sat, 19 Feb 2011, [REDACTED] wrote:

Hi Karin,

As you know, Commissioner Aguirre and I met with Sarah, Charlotte, Rob, Dan, and Bonnie (via teleconference call) to pin down scope of work and dates for outreach types. We tentatively have identified dates for educational outreach meetings during the period of now and the release of PL94. We have asked Bonnie to review your piece during the educational outreach meetings and how we can fit it into the format developed by CCP. It is a very tight format. Any alternative suggestions to make this format work is encouraged. Charlotte has some ideas on how your piece and theirs can come together. Please give her a call and work something out.

Also, and most importantly, we discussed dates for Community Input Meetings (post release of PL94 census data and post release of the commission's trial maps). It is important that we get your feed back on these dates. The number of dates are our base line, subject to additional dates as we see fit.. This is where we feel you need to get back to us on. Dan will be giving you a call to discuss these tentative dates. He also needs it to finalize contract scope of work, so please help us to pin-down this as well as other issues you feel that needs to be addressed from your side.

We also selected locations based on your regional maps for both the educational outreach meetings (AKA workshops), as well, as locations for post PL94 release and release of trial maps. We need your feedback on this too.

Commissioner Aguirre and I would like all of these issues finalized before our full commission meeting next week. I will be making a sub-committee report and a motion will be made to approve these critical dates and locations, among others. Let me know if you have any questions. Thanks so much for all you have done for us, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Mon, Apr 4, 2011 at 9:11 PM

To: kermittorres@crc.ca.gov

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov

Please note: forwarded message attached

Return-Path: <[REDACTED]>
Received: from [REDACTED] [10.181.44.39]
by [REDACTED] with SMTP id AABGX3VVJA6JP9T2
for [REDACTED] (sender [REDACTED])
Wed, 16 Feb 2011 23:29:52 -0800 (PST)
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by [REDACTED] (Postfix) with ESMTP id 6B8355A855;
Wed, 16 Feb 2011 22:38:47 -0800 (PST)
Received: from localhost [REDACTED]
by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1H6ckBI024841;
Wed, 16 Feb 2011 22:38:47 -0800
Date: Wed, 16 Feb 2011 22:38:46 -0800 (PST)
From: [REDACTED]
To: [REDACTED]
cc: "Claypool, Daniel" <daniel.claypool@crc.ca.gov>, gabino.aguirre@crc.ca.gov,
rob.wilcox@crc.ca.gov, janeece.sargis@crc.ca.gov,
kirk.miller@crc.ca.gov, srubin@ccp.csus.edu,
"Bonnie E. Glaser" <[REDACTED]>
Subject: documents handed out last friday
Message-ID: [REDACTED]
User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
MIME-Version: 1.0
Content-Type: MULTIPART/MIXED; BOUNDARY="=_f30c3b542bb470cf1d05ba4be7322cae"
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X-UNTD-BodySize: 5696390
X-UNTD-SPF: None
X-UNTD-DKIM: NONE
X-ContentStamp: 2:1:1887186589
[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Wed, 16 Feb 2011 22:38:46 -0800 (PST)

Subject: documents handed out last friday
hello commissioner ontai,

i am attaching 5 documents as requested.

best regards,

karin

5 attachments

-  **crc statewide hearing strategy draft for feb 11.doc**
60K
-  **Redist assistance sites method appendix 1.doc**
73K
-  **ras locations map final appendix 2.pdf**
1574K
-  **crc hearing regions final appendix III.doc**
157K
-  **public input regions appendix IV.pdf**
2254K

ontai1@juno.com [REDACTED]
To: kermittorres@crc.ca.gov

Mon, Apr 4, 2011 at 9:12 PM

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

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Wed, 16 Feb 2011 23:06:29 -0800 (PST)
Received: from [REDACTED] (localhost [127.0.0.1])
by [REDACTED] (Postfix) with ESMTP id B46EC5A854;
Wed, 16 Feb 2011 22:15:37 -0800 (PST)
Received: from localhost (karin@localhost)
by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1H6FbZI024669;
Wed, 16 Feb 2011 22:15:37 -0800
Date: Wed, 16 Feb 2011 22:15:37 -0800 (PST)
From: [REDACTED]

To: [redacted]
cc: [redacted], gabino.aguirre@crc.ca.gov, kirk.miller@crc.ca.gov,
"Claypool, Daniel" <daniel.claypool@crc.ca.gov>, rob.wilcox@crc.ca.gov,
[redacted]
raul.villanueva@crc.ca.gov,
"Bonnie E. Glaser" [redacted]

Subject: Re: Seeking Feedback: PowerPoint Template for 2/26 Educational Present ations

In-Reply-To: [redacted]

Message-ID: [redacted]

References: [redacted]

User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)

MIME-Version: 1.0

Content-Type: TEXT/PLAIN; charset=US-ASCII; format=flowed

X-UNTD-BodySize: 3803

X-UNTD-SPF: None

X-UNTD-DKIM: NONE

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8491c95131c9fd3db16524fd356df5a581e48435296470e191a02051dde1e151

[Quoted text hidden]

----- Forwarded message -----

From: [redacted]

To: [redacted]

Date: Wed, 16 Feb 2011 22:15:37 -0800 (PST)

Subject: Re: Seeking Feedback: PowerPoint Template for 2/26 Educational Present ations

hello commissioner ontai

thank you for including us in this conversation. unfortunately, the powerpoint presentation you are referencing was not attached. my colleague bonnie called and emailed sarah and has not yet received it. would someone on this list please forward it to us so that we are able to comment? we are completely out of the loop.

thanks!

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[redacted]
Berkeley, CA 94705-7220

p [redacted]
f [redacted]

On Thu, 17 Feb 2011, [redacted] wrote:

Hi Sarah, Excellent! It conforms to the commission's agenda description for 2/26/11, educational forum, and provides a common template for all participants to introduce their organizations and provide suggestions to the commission. Do you need the outreach subcommittee approval to send it out? Time is short for organizations to put something together by next week. Let me know. Gil

Gil Ontai, Architect
CA State Redistricting Commissioner

Please note: message attached

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by maildeliver07.dca.untcd.com with SMTP id AABGX26J8ADJJ9GS
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Wed, 16 Feb 2011 16:51:42 -0800 (PST)
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by mx03.dca.untcd.com with SMTP id AABGX26J5A4ENW2A
for [REDACTED] (sender [REDACTED]);
Wed, 16 Feb 2011 16:51:39 -0800 (PST)
X-IronPort-Anti-Spam-Filtered: true
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([130.86.80.141]) with mapi; Wed, 16 Feb 2011 16:51:24 -0800
From: "Rubin, Sarah" [REDACTED]
To: "[REDACTED]", "gabino.aguirre@crc.ca.gov"
<gabino.aguirre@crc.ca.gov>, "kirk.miller@crc.ca.gov"
<kirk.miller@crc.ca.gov>, "daniel.claypool@crc.ca.gov"
<daniel.claypool@crc.ca.gov>, "Wilcox, Rob" <rob.wilcox@crc.ca.gov>
CC: "Sherry, Susan" [REDACTED] "Chorneau, Charlotte"
[REDACTED], "Villanueva, Raul" <raul.villanueva@crc.ca.gov>
Date: Wed, 16 Feb 2011 16:51:23 -0800
Subject: Seeking Feedback: PowerPoint Template for 2/26 Educational
Presentations
Thread-Topic: Seeking Feedback: PowerPoint Template for 2/26 Educational
Presentations
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Message-ID: <CCC4AF9D0744CC44BC1E1D8E09D1A4601065B979FA@sl8.saclink.csus.edu>
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X-UNTD-UBE:-1

Mon, Apr 4, 2011 at 9:13 PM

To: kemit.torres@crc.ca.gov

FYI

Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov

Please note: forwarded message attached

Return-Path: [REDACTED]
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Tue, 15 Feb 2011 13:56:46 -0800 (PST)
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by mx15.vgs.untcd.com with SMTP id AABGXX7W8AAGB5EA
for [REDACTED] > (sender <[REDACTED]>);
Tue, 15 Feb 2011 13:56:46 -0800 (PST)
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by [REDACTED] (Postfix) with ESMTP id 2DE5A4794D;
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by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1FL68qm019096;
Tue, 15 Feb 2011 13:06:08 -0800
Date: Tue, 15 Feb 2011 13:06:08 -0800 (PST)
From: [REDACTED]
To: "Claypool, Daniel" <daniel.claypool@crc.ca.gov>
cc: [REDACTED], gabino.aguirre@crc.ca.gov,
[REDACTED] "Bonnie E. Glaser" <[REDACTED]>
Subject: Re: Teleconference this Friday
In-Reply-To: <AANLkTi=G0MGGZWUSMuRE5qxeiZkAQtxZfs2BfyikeyPn@mail.gmail.com>
Message-ID: <alpine.LFD.2.00.1102151256020.17750@[REDACTED]>
References: <20110214.203011.15662.2@[REDACTED]> <alpine.LFD.2.00.
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X-UNTD-DKIM: NONE
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[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: "Claypool, Daniel" <daniel.claypool@crc.ca.gov>
Date: Tue, 15 Feb 2011 13:06:08 -0800 (PST)
Subject: Re: Teleconference this Friday
hello all,
bonnie glaser can join you at 10 am on friday.
best,

karin

On Tue, 15 Feb 2011, Claypool, Daniel wrote:

Thank you Karin,
It is an important distinction. We'll be on track at the meeting on Friday.

Dan

On Tue, Feb 15, 2011 at 7:33 AM, [REDACTED] > wrote:

hello commissioner ontai
i am not available until 11:15 am on friday, but i will check to see if my colleague bonnie glaser is. she has been coordinating trainings for us all year and is familiar with all the aspects. we will get back to you asap.
we will have to make sure that we have people available on the 26th as this is the first i hear of that date. are the other dates set?

i would like to clarify that this is an EDUCATIONAL event you are planning on that date rather than an INPUT HEARING. is this correct?

best regards,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]
[REDACTED]

On Tue, 15 Feb 2011, [REDACTED] wrote:

Hi Karin,
Would you be available for a teleconference call on Friday, 2/18/11, at 10am, to discuss our first public hearing for 2/26/11?

Gil Ontai, Architect
CA State Redistricting Commissioner

--
Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]

Mon, Apr 4, 2011 at 9:14 PM

[REDACTED]
To: kermittorres@crc.ca.gov

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: [REDACTED]
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by [REDACTED] with SMTP id AABGXXMA2AEL5JUJ
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Tue, 15 Feb 2011 08:38:48 -0800 (PST)
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by [REDACTED] with SMTP id AABGXXMAZAV629RJ
for [REDACTED] (sender <[REDACTED]>);
Tue, 15 Feb 2011 08:38:47 -0800 (PST)
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by [REDACTED] (Postfix) with ESMTP id 0396647900;
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Tue, 15 Feb 2011 07:48:11 -0800
Date: Tue, 15 Feb 2011 07:48:11 -0800 (PST)
From: [REDACTED]
To: [REDACTED]
cc: gabino.aguirre@crc.ca.gov, "Claypool, Daniel" <daniel.claypool@crc.ca.gov>,
bonnie glaser [REDACTED]
Subject: Re: San Diego Mapping Assistance Sites
In-Reply-To: <20110215.062526.10282.2 [REDACTED]>
Message-ID: <alpine.LFD.2.00.1102150745171.12821 [REDACTED]>
References: <20110215.062526.10282.2 [REDACTED]>
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e979e1b835e1858581cd3d850511a1cc6c2de90578fc8d21790145b8a82121b8

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Tue, 15 Feb 2011 07:48:11 -0800 (PST)
Subject: Re: San Diego Mapping Assistance Sites

good morning, commissioner ontai

i am ccing bonnie glaser on this email as she has been coordinating the assistance site project. she can give you all the details - especially about the space as she just visited there last week. the site is not yet open but, as far as i know, we are working on signing the lease.

bonnie will be in touch today.

cheers

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research

[REDACTED]
Berkeley, CA 94705-7220

p [REDACTED]
f [REDACTED]

On Tue, 15 Feb 2011, [REDACTED] wrote:

Hi Karin,

I would like to visit the Irvine funded San Diego Public Mapping Assistance Site at Market Creek Center. I want to see how it is set-up and how it operates. Is there a contact person I should talk to? My office is just up the street from the Center so I know where the Center is; I just need a contact person to arrange a hands-on demonstration.

Also, did you get my messages regarding your availability to join us in a teleconference call on Friday, 2/18/11, at 10am, to discuss CRC public hearings? What telephone number shall we call you on?

Gil Ontai, Architect
CA State Redistricting Commissioner
[REDACTED]

ontai1@juno.com [REDACTED]

To: [REDACTED]

Mon, Apr 4, 2011 at 9:15 PM

FYI

Gil Ontai, Commissioner

California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
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Please note: forwarded message attached

Return-Path: [REDACTED]
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by [REDACTED] with SMTP id AABGXLE6AAVYJ8J
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by mx07.dca.untcd.com with SMTP id AABGXLE4A.I3TUWS
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by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p1FFXlsw015632;
Tue, 15 Feb 2011 07:33:18 -0800
Date: Tue, 15 Feb 2011 07:33:18 -0800 (PST)
From: [REDACTED]
To: [REDACTED]
cc: daniel.claypool@crc.ca.gov, gabino.aguirre@crc.ca.gov, [REDACTED]
Subject: Re: Teleconference this Friday
In-Reply-To: [REDACTED]
Message-ID: [REDACTED]
References: [REDACTED]
User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
MIME-Version: 1.0
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[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Tue, 15 Feb 2011 07:33:18 -0800 (PST)
Subject: Re: Teleconference this Friday

hello commissioner ontai

i am not available until 11:15 am on friday, but i will check to see if my colleague bonnie glaser is. she has been coordinating trainings for us all year and is familiar with all the aspects. we will get back to you asap. we will have to make sure that we have people available on the 26th as this is the first i hear of that date. are the other dates set?

i would like to clarify that this is an EDUCATIONAL event you are planning on that date rather than an INPUT HEARING. is this correct?

best regards,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research

[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Tue, 15 Feb 2011, [REDACTED] wrote:

Hi Karin,
Would you be available for a teleconference call on Friday, 2/18/11, at 10am, to discuss our first public hearing for 2/26/11?

Gil Ontai, Architect
CA State Redistricting Commissioner

ontai1@juno.com [REDACTED]
To: kermittorres@crc.ca.gov

Mon, Apr 4, 2011 at 9:17 PM

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: [REDACTED]
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Mon, 7 Feb 2011 09:42:00 -0800 (PST)

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Mon, 7 Feb 2011 08:52:40 -0800
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From: [REDACTED]
To: [REDACTED]
cc: [REDACTED]
Subject: Re: Six Sties
In-Reply-To: [REDACTED]
Message-ID: [REDACTED]
References: <20110207-095552.109416@montoothpr.com>
User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
MIME-Version: 1.0
Content-Type: TEXT/PLAIN; charset=US-ASCII; format=flowed
X-UNTD-BodySize: 4446
X-UNTD-SPF: None
X-UNTD-DKIM: NONE
X-ContentStamp: 46:23:794724794
X-MAIL-INFO:1be4a08de4f0f0c0f1b0f050b1254495800150b905cd44d5294da0654444
a049546dc454ededf489dded7d15e900e075a07dc0b0fdc949b1616db5c9c96d

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Mon, 7 Feb 2011 08:52:40 -0800 (PST)
Subject: Re: Six Sties
no, these are not 'officially state operated' they are operated through uc berkeley, funded by a grant from the irvine foundation. they are open to everyone.
i am on my way to the airport to go to dc. please feel free to contact bonnie for further information. she's cced above.
thanks

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Mon, 7 Feb 2011, [REDACTED] wrote:

Thank you, Karin, for the info and update. It's all sounding good. One question: Are the 6 sites officially state operated and available to the general public with your organization contracted by the State to operate them?

Gil Ontai, Architect
CA State Redistricting Commissioner

----- Original Message -----

Return-Path: <[REDACTED]>
 Received: from mx05.dca.untd.com (mx05.dca.untd.com [10.171.44.35])
 by maildeliver08.dca.untd.com with SMTP id AABGXAFP9ADBAL52
 for [REDACTED]
 Mon, 7 Feb 2011 07:54:39 -0800 (PST)
 Authentication-Results: mx05.dca.untd.com; DKIM=NONE
 Received-SPF: None
 Received: from [REDACTED] (128.32.20.57)
 by mx05.dca.untd.com with SMTP id AABGXAFP8AKC92UA
 for [REDACTED] (sender [REDACTED])
 Mon, 7 Feb 2011 07:54:38 -0800 (PST)
 Received: from [REDACTED] (localhost [127.0.0.1])
 by [REDACTED] Postfix) with ESMTMP id CFB3447311;
 Mon, 7 Feb 2011 07:05:18 -0800 (PST)
 Received: from localhost (karin@localhost)
 by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTMP id p17F5IFo031740;
 Mon, 7 Feb 2011 07:05:18 -0800
 Date: Mon, 7 Feb 2011 07:05:18 -0800 (PST)
 From: [REDACTED]
 To: [REDACTED]
 cc: bonnie glaser [REDACTED]
 Subject: Re: Six Sties
 In-Reply-To: <[REDACTED]>
 Message-ID: [REDACTED]
 References: <[REDACTED]>
 User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
 MIME-Version: 1.0
 Content-Type: TEXT/PLAIN; charset=US-ASCII; format=flowed
 X-UNTD-BodySize: 1649
 X-UNTD-SPF: None
 X-UNTD-DKIM: NONE
 X-ContentStamp: 16:8:2822921661
 X-MAIL-INFO:30c55d25c58c8c090dac8ce9b1054871a85ce9d1ddc148dcc9985d084848
 5d6c298da52941410c493c41b885681ce8d55db809ac7d786cb1558d3178788d
 X-UNTD-Peer-Info: 128.32.20.57 [REDACTED]
 X-UNTD-UBE:-1

hello commissioner ontai,

i am ccing bonnie glaser on this email as she is working on the locations
 and has the addresses for some of the sites. the cities are:

san diego
 san bernardino
 los angeles
 fresno
 sacramento
 berkeley

i met with the outreach consultants last thursday for 2 hours and have had
 phone conversations with them as well. i suggested to them (as i did to
 the full commission in my presentation) that we
 collaborate and do 'workshops' in each of the redistricting assistance
 site locations (this might not happen in the same building as these are
 offices and won't have space, but it could happen nearby). we would do

this around mid to end of march when the sites open.
we (redistricting group at berkeley) were planning on holding regional
redistricting workshops already, and by collaborating with the commission
and getting the outreach consultant involved, these will be better events.
the ccp people agreed and i believe you will see this idea incorporated in
their proposal.

best,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Mon, 7 Feb 2011, [REDACTED] wrote:

Hi Karin,
May I have the location of the six (?) computer mapping sites that you have set-up throughout the state to
receive public input? I need the city locations and if possible, addresses. Thank you so much. Gil

Gil Ontai, Architect
CA State Redistricting Commissioner

Mon, Apr 4, 2011 at 9:19 PM

[REDACTED]
To: kermittorres@crc.ca.gov

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: [REDACTED]
Received: from mx05.dca.unttd.com (mx05.dca.unttd.com [10.171.44.35])

by maildeliver08.dca.unttd.com with SMTP id AABGXAFP9ADBAL52
for [REDACTED] (sender [REDACTED])

Mon, 7 Feb 2011 07:54:39 -0800 (PST)

Authentication-Results: mx05.dca.unttd.com; DKIM=NONE

Received-SPF: None

Received: from [REDACTED] (128.32.20.57)

by mx05.dca.unttd.com with SMTP id AABGXAFP8AKC92UA

for [REDACTED]

Mon, 7 Feb 2011 07:54:38 -0800 (PST)

Received: from [REDACTED] (localhost [127.0.0.1])

by [REDACTED] (Postfix) with ESMTP id CFB3447311;

Mon, 7 Feb 2011 07:05:18 -0800 (PST)

Received: from localhost (karin@localhost)

by [REDACTED] (8.14.4/8.14.4/Submit) with ESMTP id p17F5IFo031740;

Mon, 7 Feb 2011 07:05:18 -0800

Date: Mon, 7 Feb 2011 07:05:18 -0800 (PST)

From: [REDACTED]

To: [REDACTED]

cc: bonnie glaser [REDACTED]

Subject: Re: Six Sties

In-Reply-To: <[REDACTED]>

Message-ID: [REDACTED]

References: <[REDACTED]>

User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)

MIME-Version: 1.0

Content-Type: TEXT/PLAIN; charset=US-ASCII; format=flowed

X-UNTD-BodySize: 1649

X-UNTD-SPF: None

X-UNTD-DKIM: NONE

X-ContentStamp: 16:8:2822921661

X-MAIL-INFO:30c55d25c58c8c090dac8ce9b1054871a85ce9d1ddc148dcc9985d084848
5d6c298da52941410c493c41b885681ce8d55db809ac7d786cb1558d3178788d

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]

To: [REDACTED]

Date: Mon, 7 Feb 2011 07:05:18 -0800 (PST)

Subject: Re: Six Sties

hello commissioner ontai,

i am ccing bonnie glaser on this email as she is working on the locations and has the addresses for some of the sites. the cities are:

san diego

san bernardino

los angeles

fresno

sacramento

berkeley

i met with the outreach consultants last thursday for 2 hours and have had phone conversations with them as well. i suggested to them (as i did to the full commission in my presentation) that we collaborate and do 'workshops' in each of the redistricting assistance site locations (this might not happen in the same building as these are offices and won't have space, but it could happen nearby). we would do this around mid to end of march when the sites open.

we (redistricting group at berkeley) were planning on holding regional redistricting workshops already, and by collaborating with the commission and getting the outreach consultant involved, these will be better events.

the ccp people agreed and i believe you will see this idea incorporated in their proposal.

best,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Mon, 7 Feb 2011, [REDACTED] wrote:

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Gil Ontai, Architect
CA State Redistricting Commissioner

[REDACTED]
To: [REDACTED]

Mon, Apr 4, 2011 at 9:20 PM

FYI
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Please note: forwarded message attached

Return-Path: [REDACTED]
Received: from mx03.vgs.untcd.com (mx03.vgs.untcd.com [10.181.44.33])
by maildeliver04.dca.untcd.com with SMTP id AABGWMYR3AEZAE7A
for [REDACTED]
Sun, 30 Jan 2011 13:36:57 -0800 (PST)
Authentication-Results: mx03.vgs.untcd.com; DKIM=NONE
Received-SPF: None
Received: from [REDACTED] [128.32.20.57])
by mx03.vgs.untcd.com with SMTP id AABGWMYR2AQ4UM52
for [REDACTED];

Sun, 30 Jan 2011 13:36:56 -0800 (PST)
Received: from [REDACTED] (localhost [127.0.0.1])
by [REDACTED] (Postfix) with ESMTP id 7607947FBC
for [REDACTED] Sun, 30 Jan 2011 12:48:51 -0800 (PST)
Received: from localhost [REDACTED]
by [REDACTED] (3.14.4/8.14.4/Submit) with ESMTP id p0UKmpCN020757
for [REDACTED] Sun, 30 Jan 2011 12:48:51 -0800
Date: Sun, 30 Jan 2011 12:48:51 -0800 (PST)
From: [REDACTED]
To: [REDACTED]
Subject: ppt attached from friday's hearing
Message-ID: <alpine.LFD.2.00.1101301247270.20287@REDACTED>
User-Agent: Alpine 2.00 (LFD 1167 2008-08-23)
MIME-Version: 1.0
Content-Type: MULTIPART/MIXED; BOUNDARY="545274132-839418893-1296420531=:20287"
X-UNTD-BodySize: 51463
X-UNTD-SPF: None
X-UNTD-DKIM: NONE
X-ContentStamp: 2:3:973246333
[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Sun, 30 Jan 2011 12:48:51 -0800 (PST)
Subject: ppt attached from friday's hearing
hello commissioner ontai
i've attached the ppt. i am a little hesitant to call you on a sunday. would you please send me an email to let me know if you want to talk today?
thanks
.
karin

 ca crc outreach ideas.ppt
37K

Torres, Kermit <[REDACTED]>
To: [REDACTED]

Tue, Apr 5, 2011 at 9:18 AM

Thank you!

[Quoted text hidden]

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Sun, 30 Jan 2011 12:48:51 -0800 (PST)
Subject: ppt attached from friday's hearing
hello commissioner ontai
i've attached the ppt. i am a little hesitant to call you on a sunday. would you please send me an email to let me know if you want to talk today?
thanks
.
karin

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:17 AM

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Mon, 21 Feb 2011 16:10:36 -0800 (PST)
Subject: Re: Cancel our Proposed Meeting
hi commissioner ontai
shall we try to talk on the phone?

best,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research

[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Mon, 21 Feb 2011, [REDACTED] wrote:

Hi Karin,
Given the compressed time for all of us, let's cancel plans to meet. We'll keep you posted as we progress.
Thank you, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:18 AM

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Apr 4, 2011 at 9:07 PM
Subject: Montooth PRA
To: kermit.torres@crc.ca.gov

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Sun, 20 Feb 2011 21:04:40 -0800 (PST)
Subject: Re: Meet with You
hello commissioners and dan

i am training site managers all week so my availability is extremely limited. tomorrow i am training from 9 to 6 by myself and there will not be a working braincell left in me afterwards. on tuesday, they are doing gis training with nicole and i am giving a lunch talk in contra costa county (11 - 2 including driving), and a have an appointment from 4 to 5 off campus, for which i have to leave at 3:30 latest. so that leaves time before 11 am or between 2 and 3:30 or after 5:30 on tuesday. i'm sorry i can't be more flexible. will any of those times work? if not we could video skype perhaps?

best regards

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Mon, 21 Feb 2011, [REDACTED] wrote:

Hi Karin,
Commissioner Gabino and I would like to meet personally with you tomorrow or Tuesday at your site to go over your concerns and to discuss questions we have as well. We would like to finalize our recommendations to the full commission by Friday of this week. Please let me know as soon as possible if we can pin down a meeting day and time. We'll make every effort to be there. Thanks, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:19 AM

----- Forwarded message -----

From: [REDACTED] >

Date: Mon, Apr 4, 2011 at 9:09 PM
Subject: Montooth PRA
To: kermit.torres@crc.ca.gov

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Date: Sat, 19 Feb 2011 07:59:05 -0800 (PST)
Subject: Re: Dates for Input Meetings
hello commissioner ontai,

thank you for your email and for keeping us in the loop. as you know, the redistricting group at berkeley has been conducting trainings for more than one year. our plan and agreement with our funder was to adapt those trainings into regional workshops. i suggested to the commission that we collaborate on those. when we were told that ccp was going to assist with this, we were assured that the content of the trainings would be left to us, along with whatever format was necessary to teach people about the process.

i was surprised to receive a workshop outline from ccp, especially one that had not been shared with us prior to presentation. this seems to run completely contrary to what my recollection of our agreement is. i was under the impression that ccp would work around what we have developed and adjusted to fit numerous different population groups over the past year, and that they would help with advertising and setting up and provide whatever other support was needed. the outline by ccp does not look anything like a workshop that i would ever suggest holding for this particular topic. to ask people to come to a regional training that includes 45 minutes of teaching is a waste of everyone's time, including our's.

bonnie and i are planning on taking a closer look at the format that was sent and we will mark it up if it is possible to adapt it to what we know works. we will also have to run this by our voting rights attorney, ana henderson, who is unfortunately in africa this week. she does part of the training and has a lot of experience working with communities due to her work for the voting rights division at the department of justice. if it isn't adaptable then we will suggest alternative options which will include doing our workshops separate from what ccp is suggesting, either in terms of another room in the same setting or completely separately from the commission.

i should note here that i am training our regional site managers all week next week, including monday, and that i am working on adapting the training for them this weekend. thus, my availability will be extremely limited, especially since i have to do ana's training as well.

regarding dates for the workshops:

if this collaboration can be salvaged then the dates obviously also have to be agreed upon by us. i have a minimum of 4 people that have to be scheduled to be at different locations throughout the state, and 2 of the 4 have to plan for childcare. i have not seen any dates and i will check in with bonnie to see what she knows.

regarding dates for the input hearings, i am happy to take a look at a draft and give you feedback. those will depend on how quickly you can get a consultant on board. i am hoping you won't have to go into the field without one.

thank you, again, for taking the time to involve us and for your patience with this process. i've enjoyed working with you.

best regards,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center

University of California
Berkeley Law, Center for Research
[REDACTED]
Berkeley, CA 94705-7220
[REDACTED]

On Sat, 19 Feb 2011, [REDACTED] wrote:

Hi Karin,

As you know, Commissioner Aguirre and I met with Sarah, Charlotte, Rob, Dan, and Bonnie (via teleconference call) to pin down scope of work and dates for outreach types. We tentatively have identified dates for educational outreach meetings during the period of now and the release of PL94. We have asked Bonnie to review your piece during the educational outreach meetings and how we can fit it into the format developed by CCP. It is a very tight format. Any alternative suggestions to make this format work is encouraged. Charlotte has some ideas on how your piece and theirs can come together. Please give her a call and work something out.

Also, and most importantly, we discussed dates for Community Input Meetings (post release of PL94 census data and post release of the commission's trial maps). It is important that we get your feed back on these dates. The number of dates are our base line, subject to additional dates as we see fit.. This is where we feel you need to get back to us on. Dan will be giving you a call to discuss these tentative dates. He also needs it to finalize contract scope of work, so please help us to pin-down this as well as other issues you feel that needs to be addressed from your side.

We also selected locations based on your regional maps for both the educational outreach meetings (AKA workshops), as well, as locations for post PL94 release and release of trial maps. We need your feedback on this too.

Commissioner Aguirre and I would like all of these issues finalized before our full commission meeting next week. I will be making a sub-committee report and a motion will be made to approve these critical dates and locations, among others. Let me know if you have any questions. Thanks so much for all you have done for us, Gil.

Gil Ontai, Architect
CA State Redistricting Commissioner

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:19 AM

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Apr 4, 2011 at 9:11 PM
Subject: Montooth PRA

To: kermit.torres@crc.ca.gov

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
 To: [REDACTED]
 Date: Wed, 16 Feb 2011 22:38:46 -0800 (PST)
 Subject: documents handed out last friday
 hello commissioner ontai,

i am attaching 5 documents as requested.

best regards,

karin

5 attachments

-  **crc statewide hearing strategy draft for feb 11.doc**
60K
-  **Redist assistance sites method appendix 1.doc**
73K
-  **ras locations map final appendix 2.pdf**
1574K
-  **crc hearing regions final appendix III.doc**
157K
-  **public input regions appendix IV.pdf**
2254K

Torres, Kermit <kermit.torres@crc.ca.gov>
 To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:20 AM

----- Forwarded message -----

From: [REDACTED]
 Date: Mon, Apr 4, 2011 at 9:12 PM
 Subject: Montooth PRA
 To: kermit.torres@crc.ca.gov

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
 To: [REDACTED]
 Date: Wed, 16 Feb 2011 22:15:37 -0800 (PST)
 Subject: Re: Seeking Feedback: PowerPoint Template for 2/26 Educational Present ations
 hello commissioner ontai

thank you for including us in this conversation. unfortunately, the powerpoint presentation you are referencing was not attached. my colleague bonnie called and emailed sarah and has not yet received it. would someone on this list please forward it to us so that we are able to comment? we are completely out of the loop.

thanks!

karin

Karin Mac Donald
 Director
 Statewide Database & Election Administration Research Center
 University of California
 Berkeley Law, Center for Research
 [REDACTED]
 Berkeley, CA 94705-7220
 [REDACTED]

On Thu, 17 Feb 2011, [REDACTED] wrote:

Hi Sarah, Excellent! It conforms to the commission's agenda description for 2/26/11, educational forum, and provides a common template for all participants to introduce their organizations and provide suggestions to the commission. Do you need the outreach subcommittee approval to send it out? Time is short for organizations to put something together by next week. Let me know. Gil

Gil Ontai, Architect
 CA State Redistricting Commissioner

Please note: message attached

Return-Path: [REDACTED]

Received: from [REDACTED] (10.171.44.33)

by [REDACTED] with SMTP id AABGX26J8ADJJ9GS

for [REDACTED];

Wed, 16 Feb 2011 16:51:42 -0800 (PST)

Authentication-Results: [REDACTED] DKIM=NONE

Received-SPF: None

Received: from [REDACTED] (130.86.90.246)

by [REDACTED] with SMTP id AABGX26J5A4ENW2A

for [REDACTED]

Wed, 16 Feb 2011 16:51:39 -0800 (PST)

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result: AisFAHcAXE2CVICN/2dsb2JhbACCSqNjc7QAiGoCgxWCRwSFCQ

X-IronPort-AV: E=Sophos;i="4.60,483,1291622400";

d="xml"?pptx'72,145,48?scan'72,145,48,72,217,208,145,48?jpeg'72,145,48,72,217,208,145,48,145?rels'72,145,48,72,217,208,145,48,145";a="51790378"

Received: from [REDACTED] (130.86.80.141)

by [REDACTED] with ESMTP; 16 Feb 2011 16:51:24 -0800

Received: from [REDACTED]

([2002:8256:504c:0000:0000:0000:130.86.80.76]) by [REDACTED]

([130.86.80.141]) with mapi; Wed, 16 Feb 2011 16:51:24 -0800

From: "Rubin, Sarah" [REDACTED]

To: [REDACTED] "gabino.aguirre@crc.ca.gov"

<gabino.aguirre@crc.ca.gov>, "kirk.miller@crc.ca.gov"

<kirk.miller@crc.ca.gov>, "daniel.claypool@crc.ca.gov"

<daniel.claypool@crc.ca.gov>, "Wilcox, Rob" <rob.wilcox@crc.ca.gov>

CC: "Sherry, Susan" [REDACTED]

"Chorneau, Charlotte"

[REDACTED] Villanueva, Raul" <raul.villanueva@crc.ca.gov>

Date: Wed, 16 Feb 2011 16:51:23 -0800
Subject: Seeking Feedback: PowerPoint Template for 2/26 Educational Presentations
Thread-Topic: Seeking Feedback: PowerPoint Template for 2/26 Educational Presentations
Thread-Index: AcvOPMxQebgKjbRTQhSPeIRp3bvKdg==
Message-ID: <CCC4AF9D0744CC44BC1E1D8E09D1A4601065B979FA@sl8 [REDACTED]>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator: acceptlanguage: en-US
Content-Type: multipart/mixed;
boundary="_004_CCC4AF9D0744CC44BC1E1D8E09D1A4601065B979FAsl8saclinkcsu_"
MIME-Version: 1.0
X-UNTD-BodySize: 113823
X-UNTD-SPF: None
X-UNTD-DKIM: NONE
X-ContentStamp: 8:4:1796849117
X-MAIL-INFO:023d3d54b509c179b53d911ddde081bd4975251545a440b12dedf58ded40319440549584c1ed3554ed8d64856585513410056010a0ad905960a0c0bd707dcd55e56471e9b99df475856569e484c42d9dad19194511 [REDACTED]
X-UNTD-Peer-Info: 130.86.90.246 [REDACTED]
X-UNTD-UBE:-1

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:21 AM

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Apr 4, 2011 at 9:13 PM
Subject: Montooth PRA
To: kermit.torres@crc.ca.gov

[Quoted text hidden]

----- Forwarded message -----

From: [REDACTED]
To: "Claypool, Daniel" <daniel.claypool@crc.ca.gov>
Date: Tue, 15 Feb 2011 13:06:08 -0800 (PST)
Subject: Re: Teleconference this Friday
hello all,
bonnie glaser can join you at 10 am on friday.
best,

karin

On Tue, 15 Feb 2011, Claypool, Daniel wrote:

Thank you Karin,

It is an important distinction. We'll be on track at the meeting on Friday.

Dan

On Tue, Feb 15, 2011 at 7:33 AM, <[REDACTED]> wrote:

hello commissioner ontai

i am not available until 11:15 am on friday, but i will check to see if my colleague bonnie glaser is. she has been coordinating trainings for us all year and is familiar with all the aspects. we will get back to you asap.

we will have to make sure that we have people available on the 26th as this is the first i hear of that date. are the other dates set?

i would like to clarify that this is an EDUCATIONAL event you are planning on that date rather than an INPUT HEARING. is this correct?

best regards,

karin

Karin Mac Donald
Director
Statewide Database & Election Administration Research Center
University of California
Berkeley Law, Center for Research
[REDACTED]

Berkeley, CA 94705-7220
[REDACTED]

On Tue, 15 Feb 2011, [REDACTED] wrote:

Hi Karin,

Would you be available for a teleconference call on Friday, 2/18/11, at 10am, to discuss our first public hearing for 2/26/11?

Gil Ontai, Architect
CA State Redistricting Commissioner

--

Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]



Torres, Kermit <kermit.torres@crc.ca.gov>

Montooth PRA

2 messages

Ontai, Lilbert <lilbert.ontai@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Mon, Apr 4, 2011 at 8:23 PM

(1) On Sat, Jan 29, 2011 at 3:20 PM, [REDACTED] wrote:
hello commissioner ontai,
when would you like to talk? i am available tomorrow off and on. today is getting a little tight. if i don't hear back from you, i will try to reach you tomorrow at the number you sent.
my cell phone number is [REDACTED]
best

karin

On Sat, 29 Jan 2011, Gil Ontai wrote:

name: Gil Ontai
email: lilbert.ontai@crc.ca.gov
contact: [REDACTED]
subject: Redistricting
message: Hi Karin,
Please contact me at the above phone number and/or email. If need, at [REDACTED] Thanks, Gil.
input_code: 9106

Sender IP: 12.35.193.62

Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]

Torres, Kermit <kermit.torres@crc.ca.gov>
To: Raul Villanueva <Raul.Villanueva@crc.ca.gov>

Fri, Apr 8, 2011 at 10:22 AM

----- Forwarded message -----
From: **Ontai, Lilbert** <lilbert.ontai@crc.ca.gov>
Date: Mon, Apr 4, 2011 at 8:23 PM

Subject: Montooth PRA
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

(1) On Sat, Jan 29, 2011 at 3:20 PM, <[REDACTED]> wrote:
hello commissioner ontai,
when would you like to talk? i am available tomorrow off and on. today is getting a little tight. if i don't hear back from you, i will try to reach you tomorrow at the number you sent.
my cell phone number is [REDACTED].
best

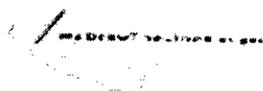
karin

On Sat, 29 Jan 2011, Gil Ontai wrote:

name: Gil Ontai
email: lilbert.ontai@crc.ca.gov
contact: [REDACTED]
subject: Redistricting
message: Hi Karin,
Please contact me at the above phone number and/or email. If need, at [REDACTED] Thanks, Gil.
input_code: 9106

Sender IP: 12.35.193.62

--
Gil Ontai, Commissioner
California Citizens Redistricting Commission
"Fair Representation -- Democracy at Work"
www.wedrawthelines.ca.gov
[REDACTED]



Torres, Kermit <kermit.torres@crc.ca.gov>

PRA Montooth from Yao Fwd: Draft of Statement of Work for Line Drawer

1 message

Yao, Peter <peter.yao@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Sat, Apr 23, 2011 at 10:38 PM

----- Forwarded message -----

From: Villanueva, Raul <raul.villanueva@crc.ca.gov>
Date: Mon, Feb 21, 2011 at 6:45 PM
Subject: Draft of Statement of Work for Line Drawer
To:

Here is the draft of the Statement of Work (SOW) for the line drawer.

The document has been color coded to indicate areas of state contract language and areas where comment may be made.

Please submit your comments by COB Wed., 2/23.

Thank you.

--
Raul Villanueva
Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
[REDACTED]

 SOW_Redistricting_Services.Feb21.doc
113K

Department of General Services

State of California

**Invitation for Bids
for
Redistricting Services**

**Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, California 95814**

SECTION I - Introduction and Overview of Requirements

The State of California is requesting bids from qualified bidders that have demonstrated past excellence and knowledge in providing line drawing services for redistricting.

Federal and state law requires that California redistrict after each Federal decennial census using the latest census figures so that electoral districts shall be as nearly equal in population as possible, and to comply with applicable provisions of the 1965 Voting Rights Act.

A contract will be awarded for census data processing and analysis, and the review, preparation, and presentation of redistricting maps and the required reports supporting each map for California's fifty-three (53) Congressional districts, forty (40) State Senatorial, eighty (80) State Assembly, and four (4) Board of Equalization districts. These functions must be performed in coordination with, and as specified by, the Citizen's Redistricting Commission (CRC), and must include staff support provided by the Contractor for public educational outreach meetings, public input meetings, and computer support.

The Contractor must also provide unfettered access to any completed map and/or report and the supporting documentation for either of those documents during any phase of the redistricting process to a separate peer review individual, individuals or entity, assigned by the Commission for the purpose of providing an independent evaluation of the map and/or report prior to its submission to the Commission for its consideration and/or approval.

Key Action Date	Date
Release of Bid	02/24/2011
Last day to submit Intention to Bid, signed Confidentiality Statement, Financial Responsibility Information, questions regarding bid requirements and Contract Terms and Conditions	03/01/2011
Confidential Discussions w/individual Contractors	03/04/2011
Last day to request a change in the requirements of the bid	03/08/2011
Time and date of Final Bid submission	4:00 p.m. 03/15/2011
Notification of Intent to Award	03/18/2011
Last day to Protest Selection	03/25/2011
Contract Award and Execution	03/28/2011
Implementation Deadline	08/15/2011

1. Availability

The services proposed to meet the requirements of this bid must be completed by the Implementation Deadline specified in Section I, Key Action Dates.

2. Commission Contact

Dan Claypool
 Executive Director
 1130 K Street, Suite 101
 Sacramento, California 95814

3. Financial Responsibility Information

The Contractor must provide financial statements giving the State enough information to determine financial stability. These statements may include, but are not limited to:

- Financial Statement or Annual Report or 10K for the last three (3) years;
- Statement of income and related earnings;
- Letter from the Contractor's banking institution;
- Statement from certified public accounting firm.

The State will treat all financial information provided as confidential when designated as such. This information will only be shared with State personnel involved in the evaluation. All financial data will be returned or destroyed if requested. Contractor's may be required to provide additional financial data as part of the bid.

SECTION II - Bid Submission

All bids must be submitted under sealed cover and sent to the Commission Contact and address in Section I by the Final Bid submission due date and time shown in Section I, Key Action Dates. The sealed cover must be plainly marked with the bid number and title, must show your firm name and address, and must be marked with "DO NOT OPEN", as shown below:

Bid Number
Bid Title/Name
Contractor Name and Address
DO NOT OPEN

All documents requiring a signature must bear an original signature of a person authorized to bind the bidding firm. The bidder will submit one (1) original and fifteen (15) copies of the bid.

SECTION III - Background

Once every 10 years, the federal census shows us how communities have changed. Redistricting is the process of changing the boundaries of political districts so roughly the same number of people live in every Senate, Assembly, Congressional and Board of Equalization District so that each Senator, Assemblymember and Board of Equalization member represents approximately the same number of people - one person, one vote.

The Voters FIRST Act (Act), which voters approved in November 2008, shifts the responsibility for redrawing the political boundaries for California Senate, Assembly and Board of Equalization districts from lawmakers to a new 14-member Citizens Redistricting Commission (Commission). The Voters FIRST Act for Congress, approved by voters November 2010, added the responsibility of drawing Congressional districts to the Commission.

The Commission must hold public hearings and accept public comment prior to and following the drawing of four maps for California's fifty-three (53) Congressional districts, forty (40) State Senatorial, eighty (80) State Assembly, and four (4) Board of Equalization districts. Upon completion of the public hearing process, The Commission must vote on the new district maps to be used for the next decade. The Commission must also issue, with each of the four final maps, a report that explains the basis on which the Commission made its decisions in achieving compliance with the criteria listed in both the initiatives that established the Commission's responsibilities, Proposition 11 (November 2008) and Proposition 20 (November 2010), and include definitions of terms and standards used in drawing each final map. When the district maps and the accompanying reports are complete, they must be submitted to the Secretary of State's Office by August 15, 2011.

State Contract Language – Not for Editing

SECTION IV - Purpose of this Invitation for Bids

The services requested in this bid, and the "line drawings" in particular, will be used by the 14-member Commission to develop district lines in conformity with strict, nonpartisan rules designed to create districts of relatively equal population that will provide fair representation for all Californians.

SECTION V - Administrative Requirements

These requirements are mandatory but will not be scored for award.

1. Cover Letter/Executive Summary

Include a signed Cover Letter and Executive Summary of the salient features(s) of the bid including conclusions and recommendations. It may include a general overview of the services offered, etc. The following information is required as a minimum:

- Company Name
- Contact Person for purposes of responding to this bid.
- Mailing Address
- Telephone Number and Facsimile Number
- Email Address

The Cover Letter should be addressed to the Commission Contact identified in Section I. A principal of the firm authorized to legally bind the firm shall sign the Cover Letter.

2. Legal Assistance

At the sole discretion of the Commission, Contractor may be required to provide expert technical assistance to the Commission in the event any legal action arises relating to the redistricting process plans developed with Contractor's assistance. Contractor shall provide expert testimony and "special services" in state and federal court, as deemed necessary by the Commission.

3. Contractor Evaluation

The Commission is required to complete a Contract/Contractor STD. 204 within 60 days of the completion of the contract. The Commission will document the performance of the Contractor in doing the work and/or in delivering the services for which the contract is awarded. This information will not be a public record.

4. Subcontractors

The following information must be provided for any subcontractor that the Contractor chooses to use in fulfilling the requirements of this bid:

- Company Name
- Contact Person for purposes of this bid
- Mailing Address
- Telephone Number and Facsimile Number
- Email Address
- Description of the work to be performed

5. Commission Participation

A Commission Project Manager/Coordinator will be assigned to this project and, along with other key Commission personnel, will be working with the Contractor as active participants. Commission personnel working with the Contractor can give the project continuity at the operating level in subsequent months. Teamwork between contractor and Commission employees can also foster support for the project and enhance its chances for success.

6. Commission Peer Review

The Commission may, at its sole discretion, assign an individual, individuals, or entity, to provide an independent evaluation of any map and/or report being submitted to the Commission for its consideration and approval. The individual, individuals, or entity will be considered a separate consultant to the Commission and must be provided unfettered access to any completed map and/or report and the supporting documentation for either of those documents during any phase of the redistricting process. This includes any and all data at any level being used by the "line drawing" contractor to construct a district boundary.

7. Progress Report/Schedule

The Contractor shall provide progress reports on an as needed basis as determined by the Commission or the Executive Director. This may be in the form of a progress schedule or reports, meetings on a regular basis, and/or a Final Summary Report once the project is completed. Any request for a written or verbal report must be addressed within twenty-four (24) hours of notification.

8. Performance Commencement

Performance shall start not later than two (2) days after all approvals have been obtained and the contract has been fully executed. Should the Contractor fail to commence work at the agreed upon time, the Commission, upon three (3) days written

notice to the Contractor, reserves the right to terminate the contract. In addition, the Contractor shall be liable to the Commission for the difference between Contractor's bid cost and the actual cost of performing work by the second lowest bidder or by another Contractor.

9. Disposition of Bids

Upon bid opening, all documents submitted in response to this bid will become the property of the Commission, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. Bid packages may be returned only at the bidder's expense.

10. Small Business Preference

Section 14835 et. seq. of the California Government Code requires that a 5% preference be given to contractors who qualify as a small business or contractors who qualify as a non-small business claiming at least 25% California certified small business subcontractor participation. The rules and regulations of this law, including the definition of a small business, or qualifying non-small business, are contained in Title 2, California Code of Regulations, Section 1896 et. seq. The definition of nonprofit veteran service agencies qualifying as a small business is contained in Section 999.50 et. seq. of the Military and Veterans Code. Contractors claiming the preference must complete Exhibit _____.

11. Travel and Per Diem

All travel and per diem expenses associated with the provision of services under this contract shall be summarized monthly and billed in arrears. This cost will not be included in the evaluation for award.

Travel and per diem rates paid to the Contractor shall be limited to rates published by the Department of Personnel Administration (DPA). Go to the PDA website at www.dpa.ca.gov for rates pertaining to Method of Travel, Meals and Incidentals, Lodging Reimbursement and Personal Vehicle Mileage Reimbursement.

Payments for travel and expenses of \$25.00 or more must be supported by receipts.

SECTION VI - Statement of Work (SOW)

These requirements are mandatory and will be scored for award.

1. Work Plan

A Work Plan is required that includes a detailed description and timeline for how the Contractor will successfully fulfill all requirements in Section VI and Section VII, Optional Services, and in compliance with the Implementation Deadline specified in Section I, Key Action Dates. The Work Plan shall be easy to read and follow, and demonstrate how the tasks and steps will lead to successful completion of the contract.

2. Organizational Structure

Provide an organization chart showing the entire organizational structure and identify the

positions and names of the core team that will undertake fulfilling the requirements of this bid and resulting contract.

The Contractor shall not replace any core team members without the prior written consent of the Commission.

3. Relevant Experience/Customer References

Describe the experience of the firm in the past ten years in performing no less than two and no more than five Redistricting Services for districts of a similar size, scope and complexity as those found in California's most populous metropolitan areas, for example: Los Angeles, San Diego, San Francisco /Oakland, Sacramento/Roseville, and Riverside/San Bernardino. In evaluating the Contractor's experience, consideration will be given to total population, the diversity of the population, the physical geography, and the relevant built environment of the districts cited by the Contractor.

The Contractor will be required to submit the following as part of the bid:

- Names and locations of the districts being cited;
- When the redistricting occurred (project start and end dates);
- The (1) population and (2) diversity of the population at the time of the redistricting, the (3) elements of physical geography and the (4) built environment impacting the line drawing;
- A description of how these four factors were addressed and the Contractor's role in addressing these four factors.

In addition, the Contractor will provide a contact name, address and phone number for a principal member of the contracting agency for which the Contractor was drawing the lines. The contact person must be an individual in a decision-making capacity for the contracting agency who was directly involved in drawing the lines for the districts cited by the Contractor.

4. Resumes

Provide detailed resumes for all management, supervisory and key personnel to be assigned to the contract.

Contractor should demonstrate through individual qualifications and experience the relevance of the individual's contribution to successfully completing previous contracts of a similar size, scope and complexity to those required by this bid. Provide a description of the contract and the beginning and ending dates of the contract.

Provide any applicable professional designations and affiliations, certifications and licenses, etc.

5. Technical Services

In conjunction with their knowledge and expertise in redistricting, the Contractor will use computerized geographical information systems (GIS) software and a redistricting database containing population data and digitized maps to assist the Commission in (1) evaluating the movement of geographic units into and out of proposed election districts and (2) producing the maps that reflect proposed districts and the final districts, as determined by the Commission. The Commission is tasked with creating redistricting maps for the 40 Senate districts, 80 Assembly districts, 53 Congressional and four Board of Equalization districts, as follows:

The Contractor's services will include:

- Sole responsibility for all necessary computerized equipment necessary to house and utilize the redistricting database;
- Sole responsibility for assembling the redistricting database as specified below;
- Sole Responsibility for the development and oversight of the coding of public testimony such that it can be aggregated and collated to corresponding; and
- Sole responsibility for any and all equipment required to produce, digitally store, project on screen (for audience viewing), and print all maps desired by the Commission.

In addition:

- The software employed by the Contractor must be able to automatically show the results of any proposed change in a district by retabulating and presenting on-screen the resulting map and the corresponding changes in total population and population sub-groups associated with the proposed change to a district;
- Contractor must issue a report with each of the four final maps that explains the basis on which the decisions were based in achieving compliance with the criteria required by the initiatives (Proposition 11 and 20), and by applicable state and federal laws and requirements.
- Contractor will participate in outreach meetings, as outlined below, where the public is invited to submit testimony (including maps) about their redistricting concerns; and
- Contractor will have demonstrated knowledge and experience as outlined below.

6. Redistricting Database

The population data will consist of the certified 2010 US Census data for the State of California, including the population subgroups of California as enumerated by the 2010

US Census data. The geographic data will include digitized maps showing the boundaries of the census geographic units for which the population statistics are available (i.e., census block thru county level), as well as the physical geography and relevant built environment (city boundaries, streets and highways, etc.) throughout the California.

Note: if required by the Commission to demonstrate compliance with the Federal Voting Rights Act of 1965, precinct level voting data and elections data associated with the district(s) in will be provided by a separate contractor to assist in performing any required studies (racially polarized voting analysis, for example). The Redistricting Database will NOT contain precinct level voting data and elections data.

7. Knowledge and Expertise in Redistricting

Contractor will have demonstrated knowledge and expertise in the following areas:

- The Federal Voting Rights Act of 1965;
- California Constitution, Article 21, Section 2;
- The Geography of California as related to redistricting;
- The population diversity of California as related to redistricting;
- The relation of a "community of interest" as defined in the California Constitution, Article 21, Section 2, to redistricting;
- Census data as related to redistricting;
- The application of GIS-related databases to the problems of redistricting; and
- The proper application of precinct-level voting data to the Federal Voting Rights Act of 1965 and to redistricting.

8. Public Outreach Meetings

Contractor shall work in conjunction and at the direction of the Commission during the public input meeting process. Commission staff and Contractor will jointly facilitate interaction with the public.

Contractor and/or Contractor's staff will attend all public outreach meetings. There will be a minimum of 36 public outreach meetings. The Contractor will be responsible for:

- Providing all equipment necessary to draw the maps reflecting the public member's stated concerns / interests;
- Providing the coding for each corresponding map (as described above);
- Providing the coding for all public testimony related to redistricting so it can be later aggregated and collated to the specific district(s) in question; and
- Producing, digitally storing, projecting on screen (for audience viewing), and later printing all maps as required by the commission.

The Contractor is required to provide a cost for an additional 12 Public Outreach Meetings, as described above, See In Section VII, Optional Services Costs.

9. Meetings and Discussions with the Commission

Contractor shall attend and participate at redistricting meetings and discussions of the Commission. During these meetings it will be the primary responsibility of the Contractor to:

- Present findings on identifying “communities of interest” and related maps provided by the public;
- Present relevant criteria to be used in evaluating the maps under discussion;
- Produce, digitally store, project on screen (for audience viewing), and print all maps desired by the Commission.

The Contractor is required to provide a cost for an additional 14 Meetings and Discussions with the Commission, as described above. See Section VII, Optional Services.

10. Information Security

Contractor must provide a description of the Information Security measures that will be maintained throughout the course of the contract, such as, but not limited to, the following:

- Secure pipelines/transmission;
- Data monitoring/verification;
- Storage and back-up;
- Confidentiality practices/data handling.

11. Staff Support

Contractor shall provide overall staff support to the Commission’s redistricting effort necessary to meet project goals and objectives.

Mixed: Some Comment / Some Contract Language

SECTION VII - Cost

The evaluated cost will be the sum of the Fixed Cost and Total Optional Cost for optional services.

1. Fixed Cost

The Contractor is required to provide one Fixed Cost for all proposed services and products (excludes cost for optional services). A breakdown of line item detail is not required. The cost may include, but not be limited to, the following:

- Direct and indirect expenses;
- Labor;
- Overhead;
- Profit;
- Clerical/staff support;
- Equipment;
- Materials and supplies;
- Managerial and/or administrative support
- Documents, reports, forms;
- Travel expenses;
- Reproduction;

- Any other costs

2. Optional Services Cost

For the purpose of evaluation and award, the Commission will compute the cost for an additional 14 Public Outreach Meetings and an additional 14 Meetings and Discussions with the Commission, to be scheduled at the option of the Commission.

The bidder must use the table below to present cost for optional services.

Cost per Occurrence x Maximum Additional Occurrences = Total Cost. The sum of all Total Costs = Total Optional Cost.

Optional Services	Cost per Occurrence	Maximum Additional Occurrences	Total Cost
Public Outreach Meetings	\$	14	\$
Meetings & Discussions w/ Commission	\$	14	\$

Total Optional Cost \$

3. Payment/Invoice

One payment will be made to the Contractor after all services have been successful completed.

Subject to the payment terms in the contract, invoices for travel and per diem will be paid monthly in arrears.

It is critical that the Contractor submit an accurate and correct invoices to ensure timely payment.

Contractor's invoice(s) shall be sent to the Commission Contact and Address specified in Section I, Key Action Dates. Invoices shall be submitted in triplicate. An accurate invoice provides the following:

- Contract Number (STD.213)
- Identifies services (non-IT) provided, service period, unit price (if applicable), and quantity applicable to the service
- Accurate billing address as stated on the contract
- Contractor invoice number
- Contractor invoice date
- Company name, remittance address and phone number
- Payment terms offered

4. Contractor Cost Work Sheet

The Contractor's bid is required to include a Cost Work Sheet (Volume III) with the following cost elements:

$$\text{Fixed Cost} + \text{Total Optional Cost} = \text{Total Bid Cost}$$

Cost Work Sheet	
Fixed Cost	\$ _____
Total Optional Cost	\$ _____
Total Bid Cost	\$ _____

Costs for services and/or products required to successful complete the contract that have not been included in the Contractor's Cost Work Sheet and evaluated for award will be considered by the Commission to be included at no cost.

State Contract Language – Not for Editing

SECTION VIII - Bid Format Content and Number of Copies

Format instructions must be adhered to, all requirements and questions in the bid must be responded to, and all requested data must be supplied and presented as follows:

1. Number of Copies

The bidder is required to submit one (1) original and fifteen (15) copies of the bid, Volume I - III.

2. Binder Format

Bid responses shall be printed double sided, submitted on 8-1/2" x 11" recycled paper, with easy to read font size and style.

Pages shall be numbered, tabbed, and bound (spiral / comb / three-ring binder).

Tabbed dividers should separate and identify the response items.

3. Table of Contents

The Bidder shall insert a comprehensive Table of Contents denoting separate sections for each section and subsection of the bid response, in the same order as presented in the bid.

4. Volume I - III Content

Volume 1 - Response to Requirements

Except as required in Volume II and III below, this volume should contain the bidder's response to all requirements of the bid, and in the same order as the requirements are listed in the bid.

Volume II - Completed Contract

All copies of the contract must bear an original signature of an individual authorized to bind the firm. **Material deviation from the terms and conditions of the State's Contract Terms and Conditions will cause rejection of your bid.**

Volume III - Cost Data

This data must be submitted in a **separate, sealed, and clearly identified** envelope or container/carton/box.

This volume must contain the Contractor's Cost Sheet (Fixed Cost + Total Optional Cost = Total Bid Cost).

SECTION IX - Evaluation

At the time of bid opening, each bid will be checked by Commission staff for the presence or absence of required information in conformance with the requirements of the bid. Each bid will be evaluated to determine its responsiveness to the published requirements.

Bids that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the bidder, may be rejected.

Final award, if made, will be to the highest scoring responsive, responsible bidder during an open session, public meeting in which the Commission will publicly review and discuss the individual bids. Prior to the scoring and award of the contract, the Commission will solicit public comment. This will include public comment provided by the public through mail, e-mail, and/or telephone and public comment provided directly at the public hearing. Following all public comment, the Commission will complete the scoring of the bidders and make an award based on the scoring. That award shall be final.

1. Customer References

All Customer Reference contacts will be interviewed in regards to effectiveness of bidder's personnel with similar endeavors, as outlined in Section VI, Relevant Experience/Customer References.

2. Awarding of Points

Once a bid is deemed responsive, the bids will be scored using a consensus methodology and points will be awarded as outlined in the following table.

Scoring/Points Table

Category	Maximum Points	Criteria
	um	Points <input type="checkbox"/> Criteria <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		ints <input type="checkbox"/> Criteria <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Re cency of exp
		e <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Diversity and size of pop
		n <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Complexity of geography and b
		nvironment <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Results of line drawi
		allenges?) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> allenges
		plication of VRA sect. 2 in line drawing <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Appli
		of VRA sect. 5 in line drawing <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Applic ation of
		n, Art 21, Sect 2 in line drawing <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		rtise in using census data in line drawing <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		pertise in using GIS-re
		databases in line drawing <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Applicati on of prec
		evel voting data to VRA sect. 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		l voting data to VRA sect. 2 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		ortability of equip. or access to on-line <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		ty to produce, store, project and print ma
		<input type="checkbox"/> <input type="checkbox"/> Redistricting Database <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Real-time
		ulation of prospective changes to li nes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		ability of precinct-level voting data <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> inct-level voting data
o		ecure pipelines / transmission <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
		monitoring, verification

An Evaluation Score Sheet will be completed for each bidder. The State will determine which of the bids reflects the best response and award it the most points, then all other bids will be awarded fractional points based upon a comparison with the best response. Bid responses of the same level of quality will receive identical points.

The bidder's total points and Total Bid Cost as follows:

Step 2:

Bidder 1	45 points
Bidder 2	65 points
Bidder 3	30 points

Use the "highest total score" as the DENOMINATOR to form a fraction for each bidder. Use each of the bidder's total score as the NUMERATOR. Then, express that fraction as a decimal value, e.g.:

Bidder 1	$45/65 = .6923$
Bidder 2	$65/65 = 1.0$
Bidder 3	$30/65 = .4615$

Step 3:

The relative cost of the bidders' bids will be scored after validating the entries as follows:

Identify the lowest total cost submitted of all the responsible bidders who meet all the mandatory requirements (are responsive), e.g.:

Bidder 1	\$ 1,500,000
Bidder 2	\$ 1,675,000
Bidder 3	\$ 1,800,000

Use the lowest total cost as the NUMERATOR to form a fraction for each bidder. Use the bidder's total cost as the DENOMINATOR. Then, express that fraction as a decimal value, e.g.:

Bidder 1	$\$1,500,000/1,500,000 = 1.00$
Bidder 2	$\$1,500,000/1,675,000 = .8955$
Bidder 3	$\$1,500,000/1,800,000 = .8333$

Step 4:

Apply the two scores from Step 2 and 3 to compute the Total Score for each bidder. Also, included in the formula below is a percentage indicating the relative weight given to Administrative/SOW and Cost scores.

Statement of Work (SOW) = 50% Cost = 50%

The Total Score calculation is as follows:

Bidder 1	$.6923 \times .50 + 1.000 \times .50 = .84615$
Bidder 2	$1.000 \times .50 + .8955 \times .50 = .94775$

$$\text{Bidder 3} \quad .4615 \times .50 + .8333 \times .50 = .6474$$

Step 5:

Apply the small business preference for any eligible bidders. The highest final score will determine the winning bidder. (In this scenario no bidders claimed the preference so Bidder #2 will receive the award.)

4. Final Award

Final award, if made, will be to the highest scoring responsive, responsible bidder during an open session, public meeting in which the Commission will publicly review and discuss the individual bids. Prior to the scoring and award of the contract, the Commission will solicit public comment. This will include public comment provided by the public through mail, e-mail, and/or telephone and public comment provided directly at the public hearing. Following all public comment, the Commission will complete the scoring of the bidders and make an award based on the scoring. That award shall be final.

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Miller, Kirk

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Christina Shupe

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PRA Montooth from Yao Fwd: STaff Roster, Duties, and Contact Info

Inbox X

Yao, Peter to me

show details Apr 23 (2 days ago)

----- Forwarded message -----

From: Sargis, Janeece <janeece.sargis@crc.ca.gov>

Date: Fri, Feb 18, 2011 at 5:14 PM

Subject: Re: STaff Roster, Duties, and Contact Info

To: "Yao, Peter" <peter.yao@crc.ca.gov>

Hello Commissioner,

All of your suggestions are good ones. I have had the same problem with not knowing how to call when I use the phone numbers.

I will find out which number is which and note it on the list.

I am in the process of adding everyone's Blackberry numbers (of those who order Blackberry), which will also include staff numbers.

I know C. Ancheta's address seems odd, but that is it. 1030 The Alameda is his street.

I will get this updated and out to all hopefully before the meeting on Wednesday.

Have a good weekend. Janeece

On Fri, Feb 18, 2011 at 4:45 PM, Yao, Peter <peter.yao@crc.ca.gov> wrote:

Hi Janeece,

A few thoughts I have on the CRC contact list:

1. Ancheta's address appears to be incomplete.
2. Would you identify which phone number is the commissioners' cell number. I would like to leave a message with their office/home phone or with their cell phone. I ended up leaving messages with their home phones and unnecessarily involving their business or family.
3. Again, strictly for use when we are in an off site meeting. Could we have the contact list for staff attending the off-site meetings.

Thanks.

-Peter-

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PRA Montooth from Yao Fwd: Final Governor's Letter

Inbox X

Yao, Peter to me

show details Apr 23 (2 days ago)

----- Forwarded message -----

From: **Ontai, Lilbert** <lilbert.ontai@crc.ca.gov>

Date: Thu, Feb 17, 2011 at 5:59 PM

Subject: Re: Final Governor's Letter

To: "Sargis, Janece" <janece.sargis@crc.ca.gov>

Cc: gabino.aguirre@crc.ca.gov, kirk.miller@crc.ca.gov, Andre Parvenu <andre.parvenu@crc.ca.gov>, Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Chr <christina.shupe@crc.ca.gov>, "Claypool, Daniel" <daniel.claypool@crc.ca.gov>, C <cynthia.dai@crc.ca.gov>, "Galambos-Malloy, Connie" <connie.galambos-malloy@jeanne.raya@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@gov>, Maria Blanco <maria.blanco@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Raul Villanueva <Raul.Villanueva@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Barabba <vincent.barabba@crc.ca.gov>

Well done! GO

On Thu, Feb 17, 2011 at 2:30 PM, Sargis, Janece <janece.sargis@crc.ca.gov> <Commissioner and Staff,

Attached is a final copy of the letter, signed by Commissioner Galambos Malloy, I delivered to the Governor's Office this afternoon.

--
Gil Ontai, CA State Redistricting Commissioner

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PRA Montoth from Yao Fwd: The Rose Institute

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Yao, Peter to me

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----- Forwarded message -----

From: Yao, Peter <peter.yao@crc.ca.gov>

Date: Mon, Feb 7, 2011 at 7:54 PM

Subject: Re: The Rose Institute

To: Robert Walton <[REDACTED]>

Hi Bob,

A million thank you to you and CUC. Have a good trip.

-Peter-

On Mon, Feb 7, 2011 at 4:26 PM, Robert Walton <[REDACTED]>

Peter

I will take care of it! I am sorry I will not be there to see the meeting, but I am off meeting and will have to hear my folks how everything progressed. Cheers. Bob

Robert A Walton
Chief Executive Officer
Claremont University Consortium
[REDACTED]

Sent from my iPad

On Feb 7, 2011, at 2:28 PM, "Yao, Peter" <peter.yao@crc.ca.gov> wrote:

Hi Bob,

Please do your magic in turning off Mr. Johnson while CRC is in Claremont. I v separately that his request will be consider fully along with all the other redistrict offered to CRC in due time.

John McDonald is doing a great job in coordinating the meeting details with CR his staffs. I am certain that we will have a great meeting.

Sincerely,
-Peter Yao-

651 751 0510

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Dictionary.com Word of the Day - corybantic: frenzied; agitated; unrestrained. - Apr 18

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PRA Montooth from Yao Fwd: Rotating Chair/Vice-Chair Sched

Yao, Peter to me

[show details](#) Apr 23 (2 days ago)

----- Forwarded message -----

From: **Sargis, Janece** <janece.sargis@crc.ca.gov>

Date: Fri, Feb 4, 2011 at 9:34 AM

Subject: Rotating Chair/Vice-Chair Schedule

To:

Commissioner and Staff:

Attached is the updated and corrected Chair /Vice Chair Rotating Schedule. Please you have any questions or changes.

Janece

 **rotating chair spreadsheet.pdf**
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Session	Date	Location	Chair/Vice Chair	Commissioner Name	Party
1	January 14-16	Sacramento	Chair Vice Chair	Yao Dal	R D
2	January 19-21	Sacramento	Chair Vice Chair	Dal Ward	D R
3	February 10-13	Claremont	Chair Vice Chair	Ward Galambos-Malloy	R DTS
4	February 23-27	Sacramento	Chair Vice Chair	Galambos-Malloy Flkins-Webber	DTS R
5	TBD	TBD	Chair Vice Chair	Flkins-Webber Blanco	R D
6	TBD	TBD	Chair Vice Chair	Blanco Ontal	D R
7	TBD	TBD	Chair Vice Chair	Ontal Aguirre	R D
8	TBD	TBD	Chair Vice Chair	Aguirre Barabba	D R
9	TBD	TBD	Chair Vice Chair	Barabba Dal	R D
10	TBD	TBD	Chair Vice Chair	Dal Yao	D R
11	TBD	TBD	Chair Vice Chair	Yao Galambos-Malloy	R DTS
12	TBD	TBD	Chair Vice Chair	Galambos-Malloy Ward	DTS R
13	TBD	TBD	Chair Vice Chair	Ward Blanco	R D

ROTATING CHAIR/VICE CHAIR CHART

14	TBD	TBD	Chair	Blanco	D				
			Vice Chair	Filkins-Webber	R				

Doubletree Hotel San Francisco Airport

[REDACTED] Burlingame, CA 94010
 Phone: [REDACTED] Fax: [REDACTED]

Check#: 31,073
 Page: 1 of 1

Banquet Check

Created: 4/7/2011

Account: Common Cause California Post As: Common Cause California Address: [REDACTED] Los Angeles, CA 90010 House Acct:	Event Date: Thu. Mar. 31, 2011 Contact: Ms. Megumi J. Kaminaga Phone: [REDACTED] Fax: [REDACTED] On-Site: Tax Exempt:
---	---

Quantity	Miscellaneous	Price	Amount
1	Facility COSTS	2,385.01 event	2,385.01
Subtotal:			2,385.01
Service Charge %: 0.00			0.00
Tax %: 0.00			0.00
Total:			2,385.01
Grand Total:			2,385.01
Balance Due:			2,385.01

Client Signature _____

Date _____



Torres, Kermit <kermit.torres@crc.ca.gov>

PRA Montooth from Yao Fwd: Citizens Redistricting Commission (CRC) meeting in Claremont

1 message

Yao, Peter <peter.yao@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Sat, Apr 23, 2011 at 10:23 PM

----- Forwarded message -----

From: Claypool, Daniel <daniel.claypool@crc.ca.gov>
Date: Mon, Jan 24, 2011 at 9:44 PM
Subject: Re: Citizens Redistricting Commission (CRC) meeting in Claremont
To: "Yao, Peter" <peter.yao@crc.ca.gov>

Good evening Peter,

I need a contact name for Claremont College so that we can start working on logistics.

Thanks,

Dan

On Mon, Jan 24, 2011 at 8:16 PM, Yao, Peter <peter.yao@crc.ca.gov> wrote:

Dear Mayor Linda Elderkin,

The CRC is scheduled to meet in on the Claremont Colleges Campus on February 9 (Wednesday) at 9:30 a.m. This will be the first CRC meeting held outside of Sacramento and the first in Southern California. Would you deliver a welcome message to our Commissioners and to the attending public on behalf of our City? Bob Walton, the CEO of the Claremont Colleges will deliver the host message immediately after yours. Both messages are to be about 1 to 2 minutes long.

Our CRC's February meeting agenda will be posted on wedrawthelines.ca.gov web site two weeks in advance of the meeting.

I hope to see you in February. Thank you very much.

Sincerely,

-Peter Yao-





Torres, Kermit <kermit.torres@crc.ca.gov>

PRA Montooth from Yao Fwd: News Article

1 message

Yao, Peter <peter.yao@crc.ca.gov>

Sat, Apr 23, 2011 at 10:22 PM

To: Kermit Torres <Kermit.Torres@crc.ca.gov>

----- Forwarded message -----

From: **Wilcox, Rob** <rob.wilcox@crc.ca.gov>

Date: Tue, Mar 1, 2011 at 7:24 AM

Subject: News Article

To: Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, "Dai, Cynthia" <cynthia.dai@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Connie Galambos-Malloy <connie.galambos-malloy@crc.ca.gov>, Libert Ontai <libert.ontai@crc.ca.gov>, Andre Parvenu <andre.parvenu@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Daniel Claypool <daniel.claypool@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>, "Sargis, Janeece" <janeece.sargis@crc.ca.gov>, Raul Villanueva <Raul.Villanueva@crc.ca.gov>, Christina Shupe <christina.shupe@crc.ca.gov>

http://www.lodinews.com/news/article_4ca03bea-3475-5dc7-ae93-97a4cf653601.html



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Posted: Tuesday, March 1, 2011 12:00 am | Updated: 6:03 am, Tue Mar 1, 2011.

By **Ross Farrow**
 News-Sentinel Staff Writer | [0 comments](#)

The 14-member California Redistricting Commission, including Stockton resident Michelle DiGullio-Matz, is required to complete legislative maps for California's 53 congressional, 40 state Senate and 80 Assembly districts by Aug. 15, according to commission spokesman Rob Wilcox.

The commission will also draw new lines for the four California Board of Equalization districts.

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Voters decided in 2008 to give an independent commission a try at determining legislative districts rather than rely on the Legislature to draw them. The commission's boundaries set on Aug. 15 will stand, unless there is a court challenge, Wilcox said.

To be approved, each map must have the support of at least three Democrats, three Republicans and three who are not members of either of the two major parties.

Here are the commission members:

- Libert "Gil" Ontal, R-San Diego
- Gabino Aguirre, D-Santa Paula
- Vincent Barabba, R-Capitola
- Michelle R. DiGullio-Matz, Decline to State, Stockton
- Angelo Ancheta, D-San Francisco
- Jodie Filkins Webber, R-Norco
- Stanley Forbes, Decline to State-Esparto
- Maria Blanco, D-Los Angeles
- Connie Galambos Malloy, Decline to State-Oakland

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Posted in News on Tuesday, March 1, 2011 12:00 am. Updated: 6:03 am.

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| <p>1 Use your real name.
You must register with your full first and last name before you can comment. (And don't pretend you're someone else.)</p> <p>2 Keep it clean.
Please avoid obscene, vulgar, lewd, racist or sexually oriented language.</p> <p>3 Don't threaten.
Threats of harming another person will not be tolerated.</p> <p>4 Be truthful.
Don't lie about anyone or anything.</p> | <p>5 Be nice.
No racism, sexism or any sort of -ism that is degrading to another person.</p> <p>6 Stay on topic.
Make sure your comments are about the story. Don't flame each other.</p> <p>7 Tell us if the discussion is getting out of hand.
Use the 'Report' link on each comment to let us know of abusive posts.</p> <p>8 Share what you know,
and ask about what you don't.</p> |
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Welcome to the discussion.

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Poll

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- Ambassador of the Streets
- Attic Trophy
- Contact
- Holding Dut
- Just a Taste
- My Dog Has Fleas
- Nice To See You
- No, Mommy, That One
- On Top of the News
- Shaping Up



Things To Do

Sponsored Listings



7:30 pm 5/11 Cirque Du Soleil - Quidam



7:30 pm 5/21 Sacramento Ballet

presents: Modern Masters

6 pm Wednesday Wine and Food Apiring

11 am Saturday 5th Annual Cinco De Mayo Event



9:30 am Sunday Men's Ministry BBQ

11 am 5/03 Finding Beauty: Backroads Close to Home

5 pm 5/07 Lodi Support Our Troops hosts TriTip Dinner for...

7:30 pm 5/07 Raiatea Helm with Sonny Lim and Wailau Ryder

5:30 pm 5/12 Ladies Night Out Fundraiser

Noon 5/14 ZinFest

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Making way at the Grape Bowl

An excavator dumps concrete rubble that was once the seating on the west end of the Grape Bowl into a truck on Thursday, April 21, 2011. The concrete chunks will be recycled and the dirt will be relocated to the water treatment plant construction at Lodi Lake to make way for a new entrance into the renovated stadium.



Honoring Earth Day

From left: Hayden Lewis, 11, Vanessa Gomez, 10, Jade Own, 10, and Alexia Newhall, 10, members of the Victor

School science team, use dirt to build a trough around the trunk of a newly planted tree on Wednesday, April 21, 2011. In honor of Earth Day, the science team hosted a small assembly giving students tips on how to be environmentally friendly. Each student was also presented with a sapling, donated by Sierra Pacific Industries, to plant — a 15-year Earth Day tradition at the small school.



Lending a helping hand

Nancy Byer-Hauan, right, owner of Jackson Hewitt Tax Services in Downtown Lodi and on Kettleman Lane, presents Capt. Dan Williams,

of the Salvation Army, a check for \$1,065 on Wednesday. Jackson Hewitt recently conducted a month-long fundraiser called "Big Checks for Charity." A portion of the proceeds from all the tax returns prepared in March benefited the Lodi Salvation Army's Hope Harbor, a program that helps men, women and women with children. Jackson Hewitt and the Salvation Army plan to make this an annual campaign and partnership.



Week of the Young



Child
Kindergarten students of
Heritage Elementary School



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lodinews NSJWCD meeting tonight at 6:30 p.m. at the Lodi Public Library. The board will discuss options for new legal counsel.
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lodinews Police dogs charm Lodi High School seniors: <http://bit.ly/dF9OBm>
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lodinews My Dog Has Fleas Is leading our poll of favorite School Street statues. Vote here: <http://bit.ly/gF0d7h>
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Torres, Kermit <kermit.torres@crc.ca.gov>

PRA Montooth from Yao Fwd: News Articles

1 message

Yao, Peter <peter.yao@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Sat, Apr 23, 2011 at 10:21 PM

----- Forwarded message -----

From: Wilcox, Rob <rob.wilcox@crc.ca.gov>

Date: Sun, Feb 27, 2011 at 12:08 PM

Subject: News Articles

To: Stanley Forbes <stanley.forbes@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, "Dai, Cynthia" <cynthia.dai@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Andre Parvenu <andre.parvenu@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Libert Ontai <lilbert.ontai@crc.ca.gov>, Connie Galambos-Malloy <connie.galambos-malloy@crc.ca.gov>, Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Daniel Claypool <daniel.claypool@crc.ca.gov>, "Sargis, Janeece" <janeece.sargis@crc.ca.gov>, Raul Villanueva <Raul.Villanueva@crc.ca.gov>, Christina Shupe <christina.shupe@crc.ca.gov>, Oral Washington <Oral.Washington@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>

<http://www.sfexaminer.com/opinion/op-eds/2011/02/california-s-political-deck-filled-wild-cards-2012>

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Rob Wilcox
Director of Communications
California Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
[REDACTED]



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[Home](#) > California's political deck is filled with wild cards for 2012

By *Anonymous*
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California's political deck is filled with wild cards for 2012

Comments (0)

The 2010 elections were staged just a few months ago, but politicians from the White House down are turning their attention to the 2012 edition. Those in California, with notable exceptions, face great uncertainty.

The most certain aspect of the California political picture is that U.S. Sen. Dianne Feinstein will be re-elected to another six-year term — if, in fact, she runs again. She says she is and she probably will, but she'll also be 79 years old next year, so a re-election bid cannot be a certainty.

A new poll by North Carolina-based Public Policy Polling not only reconfirms Feinstein's strong approval ratings but also shows her easily defeating any of the potential Republican challengers in head-to-head surveys.

President Barack Obama would also be an overwhelming favorite to carry California again in 2012 — but when it comes to legislative and congressional delegation elections, the only certainty is that Democrats will retain their majorities in both arenas.

Which legislative and congressional politicians will survive, however, is very much up in the air.

An entirely new set of districts will be drawn up by an independent redistricting commission — or the courts, if the commission falters — which means politicians are no longer choosing their own voters.

The lines of 53 congressional districts and 120 legislative districts are bound to change a lot. Population shifts will mean fewer districts along the coast and more inland. Latinos will probably gain at the expense of white politicians.

Incumbent legislators and congressional members could find themselves thrown together in new districts. A high number of retirements are likely, especially among congressional incumbents of both parties.

Matt Rexroad, a Yolo County supervisor and Republican political consultant, has pointed out in an Internet analysis the high number of California congressional members who are 65 or older and might not want to risk re-election in newly drawn districts.

Congressional retirements would touch off a feeding frenzy among state legislators, who face not only much-changed districts and term limits but the state's new "top two" primary system that will radically change election dynamics.

Speaking of which, we don't even know whether California will stick with its March presidential primary, which has proved to be a bust in expanding the state's presidential influence, or recombine it with the June primary for other offices next year.

Dan Walters' Sacramento Bee columns on state politics are syndicated by the Scripps Howard News Service.

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Art. VII. Debate.**42.** Debate**43.** Decorum in Debate**44.** Closing and Preventing Debate**45.** Principles of Debate and Undebatable Motions

42. Debate. In 1-6 are explained the necessary steps preliminary to debate namely, that when no business is pending a member shall rise and address the chair by his title, and be recognized by the chair as having obtained the floor; and that the member shall then make a motion which, after being seconded, shall be stated by the chair, who shall then ask, "Are you ready for the question?" The question is then open to debate, as is partially explained in 7, which should be read in connection with this section. No member shall speak more than twice during the same day to the same question (only once on an appeal), nor longer than ten minutes at one time, without leave of the assembly; and the question upon granting the leave shall be decided by a two-thirds vote without debate.¹ No member can speak a second time to a question as long as any member desires to speak who has not spoken to the question. If greater freedom is desired, the proper course is to go into committee of the whole, or to consider it informally, either of which requires only a majority vote; or to extend the limits of debate [30], which requires a two-thirds vote. So the debate, by a two-thirds vote, may be limited to any extent desired, as shown in 30. The member upon whose motion the subject was brought before the assembly, is entitled to close the debate with a speech, if he has not previously exhausted his twenty minutes, but not until every one else wishing to speak has spoken. He cannot, however, avail himself of this privilege after debate has been closed.² An amendment, or any other motion, being offered, makes the real question before the assembly a different one, and, in regard to the right to debate, is treated as a new question. When an amendment is pending the debate must be confined to the merits of the amendment, unless it is of such a nature that its decision practically decides the main question. Merely asking a question, or making a suggestion, is not considered as speaking. The maker of a motion, though he can vote against it, cannot speak against his own motion. [To close the debate see44.]

The right of members to debate and, make motions cannot be cut off by the chair's putting a question to vote with such rapidity as to prevent the members getting the floor after the chair has inquired if the assembly is ready for the question. Even after the chair has announced the vote, if it is found that a member arose and addressed the chair with reasonable promptness after the chair asked, "Are you ready for the question?" he is then entitled to the floor, and the question is in exactly the same condition it was before it was put to vote. But if the chair gives ample opportunity for members to claim the floor before putting the question and they do not avail themselves of it, they cannot claim the right of debate after the voting has commenced.

1. The limit of time should vary to suit circumstances, but the limit of two speeches of ten minutes each will usually answer in ordinary assemblies and, when desirable, by a two-thirds vote it can be increased or diminished as shown in 30. In the U. S. House of Representatives no member can speak more than once to the same question, nor longer than one hour. In the Senate there is no limit to the length of a speech and no senator can speak more than twice on the same day to the same question without leave of the Senate, which question is undebatable.

2. Formerly the member who reported a proposition from a committee was permitted to close the debate in the House after the previous question was ordered, provided he had not used all of his hour previously.

43. Decorum in Debate. In debate a member must confine himself to the question before the assembly, and avoid personalities. He cannot reflect upon any act of the assembly, unless he intends to conclude his remarks with a motion to rescind such action, or else while debating such a motion. In referring to another member, he should, as much as possible, avoid using his name, rather referring to him as "the member who spoke last," or in some other way describing him. The officers of the assembly should always be referred to by their official titles. It is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms. It is not the man, but the measure, that is the subject of debate.

If one desires to ask a question of the member speaking, he should rise, and without waiting to be recognized, say, "Mr. Chairman, I should like to ask the gentleman a question." The chair then asks the speaker if he is willing to be interrupted, or the speaker may at once consent or decline, addressing, however, the chair, through whom the conversation must be carried on, as members cannot directly address one another in a deliberative assembly. If the speaker consents to the question, the time consumed by the interruption comes out of the time of the speaker.

If at any time the chairman rises to state a point of order, or give information, or otherwise speak, within his privilege, the member speaking must take his seat till the chairman has been heard first. When called to order by the chair the member must sit down until the question of order is decided. If his remarks are decided to be improper, he cannot proceed, if any one objects, without the leave of the assembly expressed by a vote, upon which question no debate is allowed.

Disorderly words should be taken down by the member who objects to them, or by the secretary, and then read to the member. If he denies them, the assembly shall decide by a vote whether they are his words or not. If a member cannot justify the words he used, and will not suitably apologize for using them, it is the duty of the assembly to act in the case. If the disorderly words are of a personal nature, after each party has been heard, and before the assembly proceeds to deliberate upon the case, both parties to the personality should retire, it being a general rule that no member should be present in the assembly when any matter relating to himself is under debate. It is not, however, necessary for the member objecting to the words to retire unless he is personally involved in the case. Disorderly words to the presiding officer, or in respect to the official acts of an officer, do not involve the officer so as to require him to retire. If any business has taken place since the member spoke, it is too late to take notice of any disorderly words he used.

During debate, and while the chairman is speaking, or the assembly is engaged in voting, no member is permitted to disturb the assembly by whispering, or walking across the floor, or in any other way.

44. Closing Debate and Preventing Debate. When the debate appears to the chairman to be finished, he should inquire, "Are you ready for the question?" If, after a reasonable pause, no one rises to claim the floor, the chair assumes that no member wishes to speak and, standing, proceeds to put the question. Debate is not closed by the chairman's rising and putting the question, as until both the affirmative and the negative are put, a member can rise and claim the floor, and reopen the debate or make a motion, provided he rises with reasonable promptness after the chair asks, "Are you ready for the question?" If the debate is resumed the question must be put again, both the affirmative and the negative. Should this privilege be abused by members not responding to the inquiry, "Are you ready for the question?" and intentionally waiting until the affirmative vote has been taken and then rising and reopening the debate, the chair should act as in case of dilatory motions [40], or any other attempt to obstruct business, and protect the assembly from annoyance. When a vote is taken a second time, as when a division is called for, debate cannot be resumed except by general consent.

If two-thirds of the assembly wish to close the debate without allowing all the time desired by others, they can do so by ordering either the previous question or the closing of the debate at a certain time; or they can limit the length of the speeches and allow each member to speak only once on each question, as fully explained in 29 and 30. These motions require a two-thirds¹ vote, as they suspend the fundamental right of every member of a deliberative assembly to have every question fully discussed before it is finally disposed of. A majority vote may lay the question on the table and thus temporarily suspend the debate, but it can be resumed by taking the question from the table by a majority vote when no question is before the assembly [35], at a time when business of this class, or unfinished business, or new business, is in order. If it is desired to prevent any discussion of a subject, even by its introducer, the only way to do it is to object to the consideration of the question [23] before it is debated, or any subsidiary motion is stated. If the objection is sustained by a two-thirds vote, the question is thrown out for that session.

1. In the Senate not even two-thirds of the members can force a measure to its passage without allowing debate, the Senate rules not recognizing the above motions. In the House, where each speaker can occupy the floor one hour, any of these motions to cut off debate can be adopted by a mere majority, but practically they are not used until after some debate. Rule 27, §3, H.R., expressly provides that forty minutes twenty on each side, shall be allowed for debate whenever the previous question is ordered on a proposition on which there has been no debate, or when the rules are suspended. [See note to 22.] In ordinary societies harmony is so essential that a two-thirds vote should be required to force the assembly to a final vote without allowing free debate.

45. Principles of Debate and Undeatable Motions. All main motions are debatable, and debate is allowed or prohibited on other motions in accordance with the following principles:

(a) *High privilege is, as a rule, incompatible with the right of debate of the privileged motion:* and, therefore, all highly privileged motions are undeatable, except those relating to the privileges of the assembly or a member. Questions of privilege [19] rarely arise, but when they do, they are likely to be so important that they must be allowed to interrupt business, and yet they cannot generally be acted upon intelligently without debate. and, therefore, they are debatable. The same is true of appeals from the decision of the chair which are debatable, unless they relate to indecorum, or to transgression of the rules of speaking, or to priority of business, or are made while an undeatable question is pending; in which cases there is not sufficient need of debate to justify making them an exception to the rule, and therefore an appeal under any of these circumstances is undeatable.

(b) *Motions that have the effect of suspending a rule are not debatable.* Consequently motions to suppress, or to limit, or to extend the limits of, debate are undeatable, as they suspend the ordinary rules of debate.

(c) Appeals made after the previous question has been ordered are undeatable, as it would be manifestly improper to permit debate on them when the assembly by a two-thirds vote has closed debate on the pending question. So any order limiting debate on the pending question applies to questions arising while the order is in force.

(d) To Amend, or to Reconsider, an undeatable question is undeatable, whereas to amend, or to reconsider, a debatable question is debatable.

(e) *A Subsidiary Motion* [12] is debatable to just the extent that it interferes with the right of the assembly to take up the original question at its pleasure. *Illustrations:* To "Postpone Indefinitely" a question places it out of the power of the assembly to again take it up during that session, except by reconsideration, and consequently this motion allows of free debate, even involving the whole merits of

the original question. To "Commit" a question only delays the discussion until the committee reports, when it is open to free debate, so it is only debatable as to the propriety of the commitment and as to the instructions, etc. To "Postpone to a Certain Time" prevents the consideration of the question till the specified time, except by a reconsideration or suspension of the rules, and therefore allows of limited debate upon the propriety of the postponement. To "Lay on the Table" leaves the question so that the assembly can consider it at any time that that question or that class of business is in order, and therefore to lay on the table should not be, and is not, debatable.

Because a motion is undebatable it does not follow that while it is pending the chair may not permit a question or an explanation. The distinction between debate and asking questions or making brief suggestions, should be kept clearly in mind, and when the latter will aid the assembly in transacting business, the chair should permit it before taking the vote on an undebatable question. He should, however, remain standing during the colloquy to show that he has the floor, and he should not allow any more delay in putting the question than he feels is helpful to the business.

The following lists of motions that open the main question to debate, and of those that are undebatable, are made in accordance with the above principles:

Motions That Open the Main Question to Debate.

<i>Postpone Indefinitely</i>	<u>34</u>
<i>Reconsider a Debatable Question</i>	<u>36</u>
<i>Rescind</i>	<u>37</u>
<i>Ratify</i>	<u>39</u>

Undebatable Motions.

<i>Fix the Time to which to Adjourn</i> (when a privileged question)	<u>16</u>
<i>Adjourn</i> (when unqualified in an assembly that has provided for future meetings)	<u>17</u>
<i>Take a Recess</i> (when privileged)	<u>18</u>
<i>Call for the Orders of the Day</i> , and questions relating to priority of business	<u>20</u>
<i>Appeal</i> when made while an undebatable question is pending, or when simply relating to indecorum, or transgression of the rules of speaking, or to priority of business	<u>22</u>
<i>Suspension of the Rules</i>	<u>22</u>
<i>Objection to the Consideration of a Question</i>	<u>23</u>
<i>Incidental Motions</i> , except an Appeal as shown above in this list under Appeal	<u>13</u>
<i>Lay on the Table</i>	<u>28</u>
<i>Previous Question</i> [29] and <i>Motions to Close, Limit, or Extend the Limits of Debate</i>	<u>30</u>

Torres, Kermit <kermit.torres@crc.ca.gov>

PRA Montooth from Yao Fwd: CQ Researcher - Redistricting Debates

1 message

Yao, Peter <peter.yao@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Sat, Apr 23, 2011 at 10:21 PM

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From: **Wilcox, Rob** <rob.wilcox@crc.ca.gov>
Date: Sat, Feb 26, 2011 at 12:45 AM
Subject: Fwd: CQ Researcher - Redistricting Debates
To: Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Connie Galambos-Malloy <connie.galambos-malloy@crc.ca.gov>, "Dai, Cynthia" <cynthia.dai@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, Lilbert Ontai <lilbert.ontai@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Andre Parvenu <andre.parvenu@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>

Commissioners:

Attached is a very thorough article from Congressional Quarterly on redistricting which features California prominently and has quotes from Commissioners Dai and Ward. I will be bringing to CQ's attention that they have the ethnic make-up of the Commission wrong and that they stated the first public hearing held was in February.

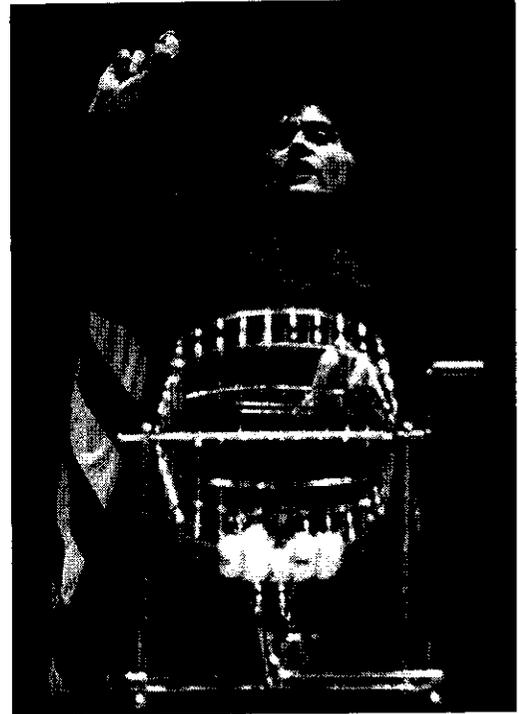
Rob

 CQ Researcher - Redistricting Debates.pdf
2267K

Redistricting Debates

Will new reforms limit gerrymandering?

The once-every-decade process of redrawing legislative and congressional districts is getting under way in state capitals around the country. To start, Sun Belt states will gain and Rust Belt states will lose seats in the U.S. House of Representatives. But win or lose, states have to redraw lines to make sure that legislative and congressional districts have equal populations and give fair opportunities to minority groups. The process is intensely political, with parties maneuvering for advantage and incumbents seeking to hold on to friendly territory. Republicans are in a good position after gaining control of legislatures in a majority of states last November. But demographic trends, especially the growth of Latino populations in some states, may limit the GOP's opportunities. In addition, California and Florida will be operating under new rules pushed by good-government groups that seek to limit "gerrymandering," line-drawing for purely partisan reasons. After redistricting plans are completed, many will be challenged in court, where outcomes are difficult to predict.



State Auditor Elaine Howe selects one of the first eight members of the bipartisan California Citizens Redistricting Commission on Nov. 18. Those eight then picked six more members. The commission will redraw state legislative and congressional districts in time for the 2012 elections.

INSIDE

THIS REPORT

THE ISSUES	171
BACKGROUND	178
CHRONOLOGY	179
CURRENT SITUATION	184
AT ISSUE	185
OUTLOOK	187
BIBLIOGRAPHY	190
THE NEXT STEP	191

CQ Researcher • Feb. 25, 2011 • www.cqresearcher.com
Volume 21, Number 8 • Pages 169-192



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THE ISSUES

- 171 • Should partisan gerrymandering be restricted?
 • Should district lines be drawn to help minorities get elected?
 • Should redistricting be done by independent commissions instead of state legislatures?

BACKGROUND

- 178 **Political Thickets**
 Supreme Court rulings led to a flood of reapportionment and redistricting suits.
- 180 **Legal Puzzlers**
 Supreme Court decisions in the 1980s and '90s allowed challenges to partisan gerrymandering and racial redistricting.
- 182 **Crosscurrents**
 The post-2000 redistricting cycle sparked new political and legal challenges.

CURRENT SITUATION

- 184 **Advantage: Republicans**
 The GOP is poised to gain or hold ground in the 2012 elections, but Democratic challenges are expected.
- 186 **Forecast: Cloudy**
 California's new redistricting commission faces a summer deadline for legislative and congressional redistricting.

OUTLOOK

- 187 **Not a Pretty Picture?**
 Some districts zig and zag without apparent logic — a pattern likely to persist.

SIDEBARS AND GRAPHICS

- 172 **GOP Has Grip on Redistricting Authority**
 Twenty-three states will have their districts redrawn by Republican-controlled legislatures.
- 173 **Twelve Seats Shift in Reapportionment Process**
 Ten states will lose a total of 12 seats in the U.S. House of Representatives; eight others gain.
- 176 **Rules of the Road for California Redistricting**
 Ballot measures creating the California Citizens Redistricting Commission bar districts drawn for partisan reasons.
- 179 **Chronology**
 Key events since 1908.
- 180 **'Underrepresented' Voters Get No Help in Court**
 Plea for equal congressional districts across state lines is rejected.
- 183 **Bringing Redistricting to the Big Screen**
Gerrymandering, an 81-minute documentary, takes a mostly critical look at the practice of mapping districts to help friends and hurt foes.
- 185 **At Issue**
 Should redistricting be done by independent commissions?
- FOR FURTHER RESEARCH**
- 189 **For More Information**
 Organizations to contact
- 190 **Bibliography**
 Selected sources used.
- 191 **The Next Step**
 Additional articles.
- 191 **Citing CQ Researcher**
 Sample bibliography formats.

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MANAGING EDITOR: Thomas J. Billitteri
 tjbill@cqpress.com

ASSISTANT MANAGING EDITOR: Kathy Koch
 kkoch@cqpress.com

CONTRIBUTING EDITOR: Thomas J. Colin
 tcolin@cqpress.com

ASSOCIATE EDITOR: Kenneth Jost

STAFF WRITERS: Marcia Clemmitt, Peter Katel

CONTRIBUTING WRITERS: Sarah Glazer,
 Alan Greenblatt, Barbara Mantel, Tom Price,
 Jennifer Weeks

DESIGN/PRODUCTION EDITOR: Olu B. Davis

ASSISTANT EDITOR: Darrell Dela Rosa

FACT CHECKER: Michelle Harris



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DIRECTOR, REFERENCE SOLUTIONS:
 Todd Baldwin

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Redistricting Debates

BY KENNETH JOST

THE ISSUES

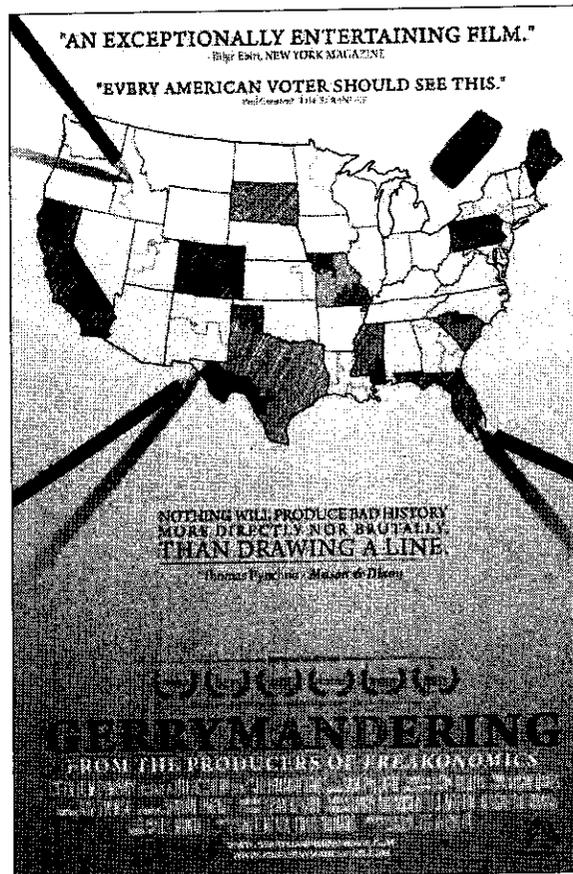
Meet Cynthia Dai: high-tech management consultant in San Francisco, Asian-American, outdoor adventurer, out lesbian, registered Democrat.

Meet Michael Ward: chiropractor in Anaheim, Calif., disabled veteran, former polygraph examiner, Native American, registered Republican.

Dai has been interested in politics since 1984, when she helped register voters before reaching voting age herself. Ward has worked with college Republican groups since his undergraduate days.

Despite their interests, neither Dai nor Ward had ever held or sought public office until last year. For the next year, however, they and 12 other Californians, most with limited if any political experience, will be up to their necks in politics as members of the state's newly established Citizens Redistricting Commission.¹

Along with the rest of the states, California must redraw its legislative and congressional maps in 2011 to make districts equal in population according to the latest U.S. Census Bureau figures. The every-10-year process is required to comply with the Supreme Court's famous "one person, one vote" rule, which requires districts to be divided according to population so each person is equally represented in government. The intricate line-drawing invites political maneuvering of all sorts, including the practice known as "gerrymandering" — irregularly shaping district maps specifically to help or hurt a political party or individual officeholder or candidate.



A poster promotes Gerrymandering, a documentary released last fall that sharply criticizes the controversial practice of drawing congressional districts to help political friends and hurt foes. Jeff Reichert, a self-described liberal who made the film, says he wants "more people involved in the redistricting process."

With the redistricting cycle just getting under way, California's citizens commission provides a high-profile test of the latest idea for reforming the often-discredited process. By taking the job away from the state legislature through ballot measures approved in 2008 and 2010, California voters sought to cut out the bizarre maps and unsavory deal-making that good-government groups say prevent the public from ousting incumbents or holding them accountable for their performance in office.

"There's a fair amount of cynicism about how California is being run now,"

says Dai, one of five Democrats on the partisan-balanced commission. "Part of the problem is the politicians have had the right to pick the voters instead of voters picking politicians, which seems like a very big myth in our democracy."

Ward, one of the five registered Republican commissioners, agrees. "The condition of California is evidence that politicians draw districts that serve their own interests and not necessarily first and foremost the communities that they serve," he says.

Completing the commission's membership are four people unaffiliated with either of the two major parties. The maps to be drawn by the commission, due to be completed by Aug. 15, must meet a series of criteria, including "to the extent practicable" compactness. But the commission is specifically prohibited from "favoring or discriminating against" any incumbent, candidate or political party. The final maps must be approved by a bipartisan supermajority of the commission, with votes from at least three Democrats,

three Republicans and three independents. (See box, p. 176.)

No one knows how the experiment will work. "It's fair to say that the mechanism that we came up with is not simple, but we're hopeful that it will work out," says Derek Cressman, Western regional director for the public interest group Common Cause. Along with the state's former Republican governor, Arnold Schwarzenegger, California's Common Cause chapter was the driving force behind Proposition 11, which in 2008 created the new commission to redraw state legislative districts.

ifornia] than they had in the past," says Charles Bullock, a professor of political science at the University of Georgia in Athens.

In fact, California's post-2000 redistricting is Exhibit No. 1 in the reformers' case against the prevailing practice of allowing state lawmakers to draw their own districts as well as those of members of Congress. In the reformers' view, Democrats and Republicans in the state legislature agreed on district lines aimed at protecting incumbents of both parties — a so-called bipartisan gerrymander.

Supporters of the new citizens commission say the legislative plan worked as the lawmakers intended. In the five elections from 2002 through 2010, only one of the state's 53 congressional seats changed hands. The districts "represent the legislators' interest, not the voters," says Cressman of Common Cause.

Some redistricting experts, however, discount the reformers' complaints about self-interested line-drawing. "The effect of redistricting in the incumbency advantage is unclear," says Nathan Persily, director of the Center for Law and Politics at Columbia University Law School in New York City. "Incumbents win not only because they draw the district lines, but for all kinds of reasons."

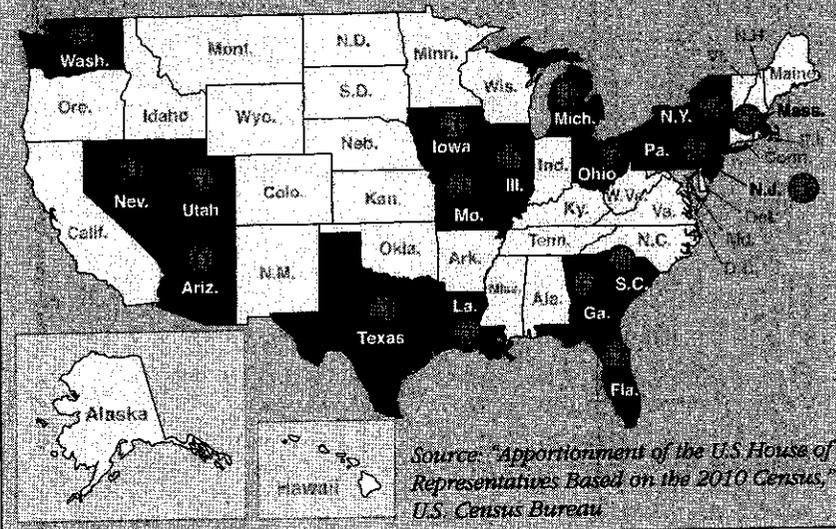
Political calculations in redistricting are also limited by legal requirements dating from the Supreme Court's so-called reapportionment revolution in the 1960s. In a series of decisions, the justices first opened federal courts to suits to require periodic redistricting by state legislatures and then mandated congressional and legislative districts to be equal in population within each state.

The Voting Rights Act, passed in 1965, has also played a major role in redistricting. In particular, the act's Section 5 requires that election law changes in nine states and local jurisdictions in seven others be "precleared" with the

Twelve Seats Shift in Reapportionment Process

Ten states will lose a total of 12 seats in the U.S. House of Representatives during reapportionment. Those seats will be reallocated among eight other states, with Texas and Florida the big winners. They will gain four and two seats, respectively.

States Gaining or Losing House Seats in Reapportionment Process



Justice Department or a federal court in Washington, D.C. Beginning with the post-1990 redistricting cycle, the Justice Department used its leverage to pressure states into drawing "majority-minority" districts to protect African-Americans' and Latinos' voting rights, with some of the districts very irregularly shaped. The Supreme Court limited the practice somewhat, however, with rulings in the 1990s that bar the use of race or ethnicity as the "predominant" factor in a district's boundaries.³

African-American and, in particular, Latino groups are looking for more "minority opportunity" districts in the current redistricting cycle. "I hope we will have an increase in the number of districts where Latinos can elect candidates of their choice," says Arturo Vargas, executive director of the National Association of Latino Elected and Appointed Officials (NALEO). Among the states being closely watched is Texas, which will gain four House

seats in large part because of the state's growing Hispanic population.

The Supreme Court decisions limiting racial line-drawing came in suits filed by white voters and backed by groups opposed to racial preferences, including the Washington-based Project on Fair Representation. Edward Blum, the group's president, says it will bring similar legal challenges if it sees "evidence of unconstitutional racial gerrymandering" in the current redistricting.

As Blum acknowledges, however, the Voting Rights Act requires some consideration of race, nationwide, to prevent what is termed "retrogression" — new districts that reduce the ability of minority groups to elect their preferred candidate. "Race must be one factor among many that line drawers use," says Clarke with the Legal Defense Fund. It has joined with the Mexican American Legal Defense and Educational Fund (MALDEF) and the Asian American Justice Center in publishing

REDISTRICTING DEBATES



Over the next year, 14 Californians, all with post-graduate degrees but most with limited if any political experience, will redraw the state's legislative and congressional maps as members of the state's newly established Citizens Redistricting Commission. Here they pose for an official photograph midway through a three-day public meeting Feb. 10-12. Michael Ward, a chiropractor, presided as rotating chair; Connie Galambos Malloy, a community organizer, is to his right. Others standing, left to right, are Jodie Filkins Webber (attorney), Gabino Aguirre (city councilman; retired high school principal), Vincent Barabba (online-commerce consultant), Michelle DiGuilo (stay-at-home mom), Maria Blanco (foundation executive), Peter Yao (ex-city council member; retired engineer), Cynthia Dai (management consultant), Libert "Gil" Ontai (architect), Jeanne Raya (insurance agent), Angelo Ancheta (law professor), Stanley Forbes (bookstore owner) and M. Andre Parvenu (urban planner). The panel includes four Asian-Americans, three Hispanic-Americans, one African-American, one Native American and five whites.

a 78-page booklet aimed at educating and mobilizing minority communities on redistricting issues.

Increased public participation is also the goal of good-government groups, including Common Cause and the League of Women Voters. "There are a lot of opportunities for greater public participation and better maps," says Nancy Tate, the league's executive director.

In addition, two reform-minded academics — George Mason University political scientist Michael McDonald and Harvard University quantitative social scientist Micah Altman — have formed the straightforwardly named Public Mapping Project to put mapping data and software into the hands of interest groups, community organizations and even students to propose redistricting plans. The goal, McDonald says, "is to allow redistricting to be done out of people's homes."

Despite the reformers' hopes, one longtime redistricting expert doubts that public or media pressure will carry much weight as state legislatures go about their work. "I don't see state legislatures buckling much to that," says Peter Galderisi, a lecturer in political science at the University of California-San Diego. "In most situations, they don't have the direct ability to influence this at all."

As state legislatures and redistricting commissions get down to work, here are some of the major questions being debated:

Should partisan gerrymandering be restricted?

Texas Republicans chafed for more than a decade under the post-1990 congressional redistricting, a Democratic-drawn plan that helped Democrats hold a majority of the House seats through

the decade. When Republicans gained control of both houses of the state legislature and the governorship in 2002, it was payback time.

Despite an attempted boycott by out-numbered Democrats, the GOP majorities approved an artful plan aimed at giving Republicans an edge wherever possible. In the first election under the new map, the GOP in 2004 gained 21-11 control of the state's congressional delegation. Democrats cried foul and argued all the way to the U.S. Supreme Court that the plan was a partisan gerrymander that violated Democratic voters' constitutional rights. The justices could not agree on a legal rule to govern gerrymandering, however, and left the map intact except to require redrawing a majority Latino district in the Rio Grande Valley.

The ruling in the Texas case marked the third time that the Supreme Court

had entertained a constitutional claim against gerrymandering — and the third time that the justices failed to give any guidance on when, if ever, federal courts could strike down a partisan power-grab as going too far.⁴

Legal experts say the judicial impasse is likely to continue. Justice Anthony M. Kennedy straddles the divide between four conservatives uncomfortable with or opposed to gerrymandering challenges altogether and four liberals unable to agree on a standard to police the practice. “Four-and-a-half justices have demonstrated that they don’t want to deal with this, and the other four-and-a-half cannot agree on how to deal with it,” says Justin Levitt, an associate professor at Loyola Law School in Los Angeles who formerly worked on redistricting issues at the Brennan Center for Justice at New York University School of Law.

For many political scientists, the effort to control gerrymandering through the courts is simply at war with U.S. political traditions dating back to the 19th century. “We’ve gotten used to the fact that when one party controls, you get partisan gerrymanders,” says Galderisi at UC-San Diego.

With courts on the sidelines, the critics of partisan gerrymandering are looking to two approaches in the current redistricting cycle to control the practice. The California citizens commission — and the citizens commission created in Arizona for the post-2000 cycle — take the job away from legislators and establish guidelines, including geographically compact districts. In Florida, reform groups, allied with major Democratic interest groups, won adoption of constitutional amendments in November that prohibit the legislature from drawing districts “with the intent to favor or disfavor a political party or an incumbent.”

Bullock, the University of Georgia professor, says the commission approach has the potential to create more competitive districts, one of the

main goals of the gerrymandering critics. (Competitiveness is one of the criteria in Arizona, though not in California.) But longtime political expert Thomas Mann, a senior fellow in governance studies at the Brookings Institution in Washington, says geographically compact districting schemes do not necessarily increase competitiveness because like-minded voters often live in the same neighborhood. “In some states, you’ve got to do real gerrymandering to create more competitive districts,” Mann says.

In Florida, even supporters of the anti-gerrymandering amendment acknowledge doubts about how faithfully the Republican-controlled legislature will comply with the provision. “Your guess is as good as mine,” says Ellen Freidin, a Miami attorney-activist who headed the Fair Districts Florida campaign for the amendments. Meanwhile, some political scientists see the command not to favor or disfavor an incumbent in drawing district lines as a logical impossibility. “Either it’s going to favor them or disfavor them,” says Thomas Brunell, a professor of political science at the University of Texas at Dallas. “It’s got to be one of those things.”

Brunell, in fact, takes the contrarian position of opposing the maximization of competitive districts. In his book *Redistricting and Representation*, Brunell argues that competitive elections are not essential for good government and in fact increase voter discontent. “The more competitive the district, the more upset voters you have,” he says.⁵

For incumbents, partisan gerrymandering may actually have a downside, according to UC-San Diego’s Galderisi, if likely party voters in one district are spread around to enhance the party’s chances of winning in others. “Incumbents don’t feel well off unless they have a comfortable margin of victory,” he says.

In fact, cutting political margins too thin in a particular district can result in

a party’s loss of a once-safe seat — a process that redistricting expert Bernard Grofman at the University of California-Irvine calls “a dummymander.” In the current cycle, Galderisi thinks Republicans may take that lesson to heart and concentrate on protecting the gains they made in November. “A lot of efforts are going to be to shore up new incumbents rather than engage in traditional partisan gerrymanders,” he says.

McDonald, the George Mason University political scientist in the Public Mapping Project, says that with so much political volatility in the last few elections, Democrats and Republicans alike will be more interested in political security than partisan advantage. “Incumbents are going to want safer districts,” he says.

Should district lines be drawn to help minorities get elected to office?

Rep. Luis Gutierrez, a Chicago Democrat, has represented since 1993 a congressional district that only a redistricting junkie could love. Dubbed the “ear muff” district, Illinois-4 includes predominantly Latino neighborhoods from close-in suburbs along the city’s southern border and other Latino neighborhoods in Chicago itself that are connected only by a stretch of the Tri-State Tollway.

The district was drawn that way in 1991 not to help or hurt an individual officeholder or candidate but to comply with the federal Voting Rights Act. In a city with a history of racially polarized voting and a state with no previous Hispanic member of Congress, Latinos were entitled to a majority Latino district, a federal court ruled. But the new map had to avoid carving up the majority African-American districts that lay between Latino neighborhoods. “This is not gerrymandering,” the Mexican American Legal Defense and Educational Fund explains, “but rather protecting voting rights.”⁶

Latino and African-American groups will be working again in the current

Principles of the Voting Rights Act of 1965, as Amended

The Voting Rights Act of 1965, as amended, is the most powerful federal law designed to protect the right of all citizens to vote. The Act prohibits racial discrimination in the voting process and requires that states and local governments provide the same access to the ballot box for all citizens.

Principles of the Act

- Be based on the equal application of the principle of "one person, one vote" to all citizens, without regard to race or ethnicity.
- Be drawn with the Voting Rights Act's prohibition of race- or ethnicity-based interference with voting rights.
- Be geographically contiguous.
- Respect the geographic interests of any county, any neighborhood or "community of interest" to the extent possible. "Communities of interest" do not include relationships with political parties, incumbents or political candidates.
- Be drawn to encourage geographical compactness to the extent practicable.
- Be drawn to the extent practicable so that each state Senate district encompasses precisely two Assembly districts.
- The commission is prohibited from considering an incumbent's or candidate's residence in drawing district lines. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

Source: California Citizens Redistricting Commission, http://vedrauthelanes.ca.gov/downloads/voters_first_act.pdf

redistricting cycle to try to protect minority incumbents and increase opportunities for minority candidates. "We know that Latinos have increased significantly in population," says Nina Perales, MALDEF's litigation director. "We hope to see a redistricting that fairly reflects that growth."

With the African-American population growing less rapidly, Clarke says the NAACP Legal Defense Fund will first be "looking to ensure that existing opportunities are not taken away." In particular, Clarke says LDF wants to guard against the possibility that the Supreme Court's most recent decision on racial redistricting is not "misinterpreted" to call for dismantling so-called crossover or influence districts — districts where a racial or ethnic minority comprises less than a majority of the

population but can form coalitions with white voters to elect a candidate.

For their part, critics of racial redistricting would like to see less attention to race and ethnicity in map-drawing. Blum, with the Project on Fair Representation, says district maps should be drawn without access to racial and ethnic data and checked only at the end to see whether redistricters had "inadvertently" reduced minority voting rights.

The Supreme Court has played the lead role in shaping the current law on racial redistricting. In a trio of decisions in the 1990s, the court struck down oddly shaped, majority-minority congressional districts in Georgia, North Carolina and Texas on the grounds that race or ethnicity was the predominant factor in drawing them. But the court in 1998 upheld the Illinois redistricting

with the majority-Latino "earmuff" district. And in 2001 the court ruled in effect that redistricters may draw a majority-minority district if done for a partisan purpose — in the specific case, to make the district Democratic.⁷

The post-2000 redistricting generated fewer major decisions on racial redistricting, but the court's 2009 ruling on a North Carolina legislative map troubles minority groups. The decision, *Bartlett v. Strickland*, required the redrawing of a once majority-black legislative district that had been reconfigured in a way to prevent the African-American population from falling below the threshold needed to form a "crossover" district. In a splintered 5-4 decision, the Supreme Court said a racial or ethnic minority could not challenge a redistricting map as impermissible "vote dilution" under the Voting Rights Act unless it comprised a majority of the district's population.⁸

The ruling "is not an invitation to dismantle existing influence districts," says Clarke. "Majority-minority districts along with influence and crossover districts continue to represent some of the most diverse constituencies in our country."

Minority groups bristle at the criticism of racial line-drawing as gerrymandering. They argue that oddly shaped districts are often the only way to bring together "communities of interest." "People don't live in squares, circles and triangles," says Vargas, with the Latino officeholders' group. "So it's hard to draw districts that have nice geometric shapes."

Blum counters that the dispersal of ethnic and racial minorities from central cities into suburbs forces redistricters to ignore geographic communities in order to create majority-minority districts. "What you have to do is draw a district that basically harvests African-Americans block by block, neighborhood by neighborhood, all across the county or across multiple counties," Blum says. "That breaks up communities of interest that are far more powerful in America

today than cobbling together these racially apartheid homelands.”

As in Chicago, some of the line-drawing may come in areas with Latino, African-American or Asian-American neighborhoods in close, sometimes overlapping, proximity. Both Clarke and Perales acknowledge the potential for cross-racial tensions but say their groups aim to work cooperatively.

In any event, redistricting experts say minority groups have a huge stake in the maps to be drawn. “Racial and ethnic minorities have historically been disadvantaged by deliberate efforts to mute their voices in redistricting cycles,” says Costas Panagopoulos, an assistant professor of political science at Fordham University in New York City and executive editor of the magazine *Campaigns and Elections*. “Minority groups want to be sure that that does not happen this time.”

Should redistricting be done by independent commissions instead of state legislatures?

As head of Arizona’s first citizens’ redistricting commission, Steve Lynn spent thousands of hours over the past decade redrawing legislative and congressional districts in Arizona and defending the new maps in federal and state courts. Lynn, a utility company executive in Tucson who says he is both a former Democrat and former Republican, counts the commission’s work a success: no judicial map-drawing, more opportunities for minorities and — in his view at least — more competitive districts.

Surprisingly, however, Lynn voted against Proposition 106 when it was on the Arizona ballot in 2000. Back then, he had no quarrel with the state legislature doing the job. Today, Lynn endorses independent commissions, but somewhat equivocally. “It’s one way to do it,” Lynn told a redistricting conference sponsored by the National Conference of State Legislatures in late January. “It’s not the only way to do it. Either way can work.”⁹

Thirteen states now have redistricting commissions or boards with primary responsibility for drawing legislative districts; seven of those also have responsibility for drawing congressional districts. * Apart from the Arizona and California citizen commissions, the other bodies consist of specifically designated officeholders or members chosen in various ways by political officeholders with an eye to partisan balance. Five other states have backup commissions that take over redistricting in the event of a legislative impasse; two others have advisory commissions.

Two of the non-legislative bodies are long-standing: Ohio’s, created in 1850; and the Texas backup commission, established in 1947. McDonald, the George Mason professor with the Public Mapping Project, says those commissions and others created in the 1960s and since were designed to make sure that redistricting was completed on time, not to divorce the process from politics. Indeed, McDonald says, there is “no evidence” that the commissions, despite their description as “bipartisan,” have reduced the kind of self-interested or partisan line-drawing that gives redistricting a bad name.

By contrast, the Arizona and California commissions consist of citizens who apply for the positions in screening processes somewhat akin to college admissions. Candidates must specify that they have not served within a specified time period in any party position or federal or state office.

In Arizona, applicants for the five-member commission are screened by the appellate court nominating commission, which approves a pool of 25 candidates: 10 Republicans, 10 Democrats and five independents. From that pool, the majority and minority leaders of the state House of Repre-

* The number includes Montana, which currently has one House member, elected at large; Montana lost its second House seat after the 1990 census.

sentatives and Senate each pick one member; those four then pick one of the independents to serve as chair.

California’s process is even more complex. The state auditor’s office screens candidates, forming a pool of 60, equally divided among Republicans, Democrats and independents. Those lists are provided to legislative leaders, who can strike a total of 24 applicants. The auditor’s office then chooses the first eight commissioners by randomly pulling names from a spinning basket: three from each of the major parties and two independents. Those eight then pick six more: two Democrats, two Republicans and two independents.

Cressman, with Common Cause, acknowledges the complexity of the process. “It is challenging to come up with a system that gives you a combination of expertise and diversity and screens out conflict of interest and self-interest,” he says.

Opponents of California’s Proposition 11 cited the complexity in campaigning against the ballot measure in 2008. They also argued the commission would be both costly and politically unaccountable. In 2010, opponents qualified an initiative to abolish the commission, which appeared on the same ballot with the measure to expand the commission’s role to congressional redistricting. The repealer, Proposition 27, failed by a 40 percent to 60 percent margin.

Political veterans in California continue to complain about the commission — in private. But longtime redistricting expert Bruce Cain, a professor of political science at the University of California-Berkeley and now executive director of the university’s Washington, D.C., program, publicly challenged the commission approach in a presentation to the state legislators’ group in January.

Cain told the legislators that commissions result in added costs because of the need to train commission

members, hire additional staff and consultants and hold extra rounds of public hearings. In any event, Cain said that reformers "oversell" the likely benefits of commissions. Commissions "cannot avoid making political judgments" and are as likely as legislatures to run afoul of legal requirements, he says.

"It doesn't matter whether you have a pure heart," Cain concludes. "If you wind up with a plan that's unfair to one group or another, you're going to have trouble."

Cressman is optimistic about the California commission, which heard from a series of experts in training sessions in January and held its first public hearing in February. "They have a lot of expertise," Cressman says. "They strongly reflect the diversity of California. And they are quite ready to attack their job quite seriously."

Still, experts across the board profess uncertainty about whether the California commission will deliver on the supporters' promise of a fairer redistricting plan. "It's a very open question whether those hopes will be realized," says Douglas Johnson, president of the National Demographics Corporation, which consults on redistricting issues for governments and public interest groups. Johnson himself helped draft the initiative. ■

BACKGROUND

Political Thickets

The modern era of redistricting began in the 1960s when the Supreme Court intervened to force an end to state legislatures' decades-long neglect of the obligation to redraw legislative and congressional districts to reflect population changes. In a series of decisions, the court first opened the federal courts to redistricting suits and then laid down the

famous "one person, one vote" requirement of mathematical equality — strict for congressional districts, slightly relaxed for legislative lines. The rulings redressed the underrepresentation of urban and suburban voters, but they also forced legislatures and the courts into the political thicket of redistricting every 10 years.¹⁰

The political uses of redistricting date back more than two centuries. Patrick Henry engineered district lines in an unsuccessful effort to prevent the election of his adversary James Madison to the House of Representatives in the nation's first congressional vote in 1788. The salamander-shaped district that Gov. Elbridge Gerry crafted for an 1812 legislative election in Massachusetts gave birth to the pejorative term "gerrymander" for politically motivated line-drawing.*

Through the 19th century, Congress passed laws requiring representatives to be elected in contiguous, single-member districts. A 1901 act — re-enacted in 1911 — specified that districts also be compact and contain "as nearly as practicable an equal number of inhabitants." The provisions went unenforced, however. Most notably, the House failed to act on a committee's recommendation to bar a representative elected in 1908 from a malapportioned Virginia district redrawn earlier in the year to his benefit.¹¹

Twice in the first half of the 20th century, the Supreme Court also balked at enforcing reapportionment requirements. In 1932, the court rejected a suit by Mississippi voters challenging the congressional district map drawn by the state legislature on the ground that it violated the 1911 act's requirements. The majority opinion held that the 1911 law had lapsed; four justices went further and said the federal courts should not have entertained the suit. The high court adopted that lat-

* Gerry pronounced his name with a hard "g," but "gerrymander" came to be pronounced with a soft "g."

ter position in 1946 in turning aside a suit by Illinois voters challenging a congressional map as violating a state law requiring equal-population districts. Writing for a three-justice plurality in *Colegrove v. Green*, Justice Felix Frankfurter sternly warned against judicial review. "Courts ought not to enter this political thicket," Frankfurter wrote. A fourth justice joined in a narrower opinion, while three justices said in dissent they would have allowed the suit to go forward.¹²

The Supreme Court reversed direction in its landmark ruling in a Tennessee case, *Baker v. Carr*, in 1962. With Frankfurter in dissent, the court detailed Tennessee's failure to reapportion state legislative districts since 1901 and found urban voters entitled to use the Equal Protection Clause to challenge the malapportionment in federal court. The ruling went only so far as to send the case back to a lower court for a full trial, but in short order the Supreme Court went further. In 1963, it struck down Georgia's county-unit system for apportioning state legislative seats on the grounds that it disadvantaged large urban counties. "The concept of political equality," Justice William O. Douglas wrote in the 8-1 ruling, "can mean only one thing — one person, one vote." A year later, the court applied the equal-population requirement to congressional districts and to both chambers of bicameral state legislatures.¹³

The Supreme Court's rulings opened the door to a flood of reapportionment and redistricting lawsuits in the states. By one count, more than 40 states faced legal challenges by the time of the 1964 decisions. State legislatures across the country became more representative of the growing urban and suburban populations. In Tennessee, for example, both the House of Representatives and the Senate elected urban members as speakers at the turn of the decade. The rulings also affected

Continued on p. 180

Chronology

Before 1960

Congress, courts take hands-off approach to reapportionment, redistricting lapses.

1908

House of Representatives refuses to enforce equal-population requirement, allows seating of member chosen from malapportioned district in Virginia.

1932

Supreme Court rejects voters' suit challenging malapportioned Mississippi congressional districts.

1946

Supreme Court rejects voters' suit challenging malapportioned Illinois congressional districts.

1960s-1970s

Supreme Court's "one-person, one-vote" revolution forces states to redraw legislative and congressional districts.

1962-1964

Supreme Court says federal courts can entertain suits to challenge state legislature's failure to reapportion (1962). . . . Adopts "one-person, one-vote" requirement for state legislative districts (1963). . . . Applies equal-population requirement to House seats, both chambers of state legislatures (1964).

1965

Voting Rights Act prohibits interference with right to vote based on race (Section 2); imposes "preclearance" requirements for election law changes on nine states, local jurisdiction in seven others (Section 5).

1969-1973

Supreme Court strikes down con-

gressional districting plan because of 3 percent population variation (1969), but later allows nearly 10 percent variation for state legislative districts (1973).

1980s-1990s

Supreme Court allows suits to challenge partisan gerrymanders, racial line-drawing.

1980-1982

Supreme Court says Section 2 of Voting Rights Act prohibits only intentional discrimination; two years later, Congress adds "effects" test to prohibit any election law changes that abridge right to vote because of race.

1983

Supreme Court strikes down congressional map with 1 percent variation between districts.

1986

Supreme Court, in Indiana case, says federal courts can entertain suits to challenge legislative districting as partisan gerrymander; on remand, Republican-drawn plan is upheld against Democratic challenge.

1993-1996

Supreme Court allows white voters' suit to challenge majority African-American congressional district in North Carolina (1993). . . . Later rulings strike down majority-minority districts in Georgia (1995), North Carolina (1996), Texas (1996).

2000s Redistricting reform proposals advance.

2000

Arizona voters approve creation of independent citizens' redistricting

commission (Prop. 106).

2001

Supreme Court upholds creation of majority African-American district in North Carolina; motivation was partisan, not racial, court finds.

2001-2004

Republican-controlled Pennsylvania legislature redraws congressional districts to GOP's benefit (2001); Republicans gain 12-7 majority in state delegation (2002); Supreme Court rejects Democrats' challenge to plan; in splintered ruling, Justice Kennedy leaves door open to gerrymandering suits (2004).

2003-2006

Republican-controlled Texas legislature reopens congressional districts, draws new map to GOP's benefit (2003); Republicans gain 21-11 majority in state delegation (2004); Democrats' challenge rejected by Supreme Court (2006).

2008-2010

California voters approve citizens' commission to redraw state legislative districts (Prop. 11); two years later, add congressional redistricting to commission's responsibility (Prop. 20).

2009

Supreme Court says states may reduce minority voters' influence if they constitute less than majority of voters in district.

2010

Florida voters approve anti-gerrymandering constitutional amendments (Nov. 2). . . . House seats shift from Northeast, Midwest to South, West (Dec. 21).

2011

States begin work on redistricting. . . . Louisiana, Mississippi, New Jersey, Virginia to hold legislative elections in November.

'Underrepresented' Voters Get No Help in Court

"It's pretty clear that this is not equal and it's not as equal as practicable."

The Constitution created the House of Representatives with 65 members, each representing no more than 30,000 people. Today, the House has 435 members, and their districts average about 710,000 constituents, according to the 2010 census.

That average conceals a wide variation from one state to another. Delaware's only congressman, freshman Democrat John Carney, represents about 900,000 people. In Wyoming, the state's only member of Congress, two-term Republican Cynthia Lummis, represents about 563,000 people.¹³

"One person, one vote" requires congressional districts to be equal in population within each state so that each person is equally represented in government. But the constitutional provision allotting one seat to each state combines with the need to round some fractions up and others down to make mathematical equality impossible from state to state.

Plaintiffs from five of the states disadvantaged in House seats under the 2000 census — Delaware, Mississippi, Montana, South Dakota and Utah — filed suit in federal court in Mississippi to challenge the disparities as a violation of their rights to equal representation in Congress. At the time, Montana had more than 900,000 people, just below the threshold then needed for a second House seat.

"We believe that it's pretty clear that this is not equal and it's not as equal as practicable," says Michael Farris, a constitutional lawyer in Northern Virginia and well-known conservative activist. Farris, a home-schooling advocate, recruited the plaintiffs for the case after being approached by another home-schooling father in the area.

In defending the suit, the government argued that complete elimination of the interstate disparities would require "an astronomical increase" in the size of the House. The number of House seats has been fixed since 1911 except for temporary increases to accommodate new states, Arizona and New Mexico in 1912, Alaska and Hawaii in the late 1950s.

Farris countered that an increase of as few as 10 seats would have reduced state disparities by half. And he noted that the British House of Commons has more than 500 members for a country with 62 million residents — one-fifth of the U.S. population of 308 million.

The government also contended that the suit raised a "political question" that, in effect, was none of the federal courts' business. Ruling last summer, the three-judge district court hearing the case held that the plaintiffs had no right to equal representation in the House. "We see no reason to believe that the Constitution as originally understood or long applied imposes the requirements

Continued from p. 178

membership in the U.S. House of Representatives, if somewhat less dramatically. After the 1970 reapportionment, one study found that the number of members from rural districts had dropped from 59 to 51 while the number from urban and suburban districts rose from 147 to 161.¹⁴

In further cases, the court confronted how close to equal districts had to be to meet the one-person, one-vote test. For Congress, the court required strict and later stricter equality. In 1969, the justices rejected a Missouri redistricting plan because it resulted in as much as a 3.1 percent variation from perfectly equal population districts. Years later, the court in 1983 rejected, on a 5-4 vote, a New Jersey plan with less than 1 percent variation in population because the state had offered no justification for the discrepancies. States were given somewhat more leeway. In

a pair of decisions in 1973, the court upheld Connecticut and Texas plans with variances, respectively, of 7.8 percent and 9.9 percent. And in 1983, on the same day as the ruling in the New Jersey case, the court upheld a Wyoming plan that gave each county at least one member in the state House of Representatives despite the large variation in district population that resulted.¹⁵

Legal Puzzlers

The Supreme Court in the 1980s and '90s confronted but gave only puzzling answers to two second-generation redistricting issues: whether to open federal courts to challenges to partisan or political gerrymandering or to racially or ethnically based line-drawing. On the first issue, the court ostensibly recognized a constitutional claim against partisan gerrymandering, but gave such

little guidance that no suits had succeeded in federal courts by the turn of the 21st century — or, indeed, have since. On the second issue, the court in a series of decisions in the 1990s allowed white voters to challenge racially or ethnically based districting plans and eventually barred using race or ethnicity as the "predominant" motive in redrawing districts.

The political gerrymandering issue reached the Supreme Court in a challenge by Indiana Democrats to a state legislative redistricting plan drawn by Republicans after the 1980 census that helped fortify GOP majorities in the 1982 elections. A federal district court agreed with the Democrats that the plan violated the Equal Protection Clause because it was intentionally designed to preserve Republicans' dominance. The Supreme Court ruled, 6-3, in *Davis v. Bandemer* (1986) that the suit presented a "justiciable" claim

of close equality among districts in different States that the Plaintiffs seek here," the court wrote in the July 8 ruling.²

On appeal, the Supreme Court rejected the suit even more firmly by setting aside the district court's ruling with instructions to dismiss the case altogether. The court gave no explanation, but Farris says he assumed the justices decided the case on political-question grounds.

Farris is not the only advocate for increasing the size of the House. In an op-ed essay in *The New York Times*, two professors argued that a significantly larger House would allow representatives to be closer to their constituents, reduce the cost of campaigns and limit the influence of lobbyists and special interests. "It's been far too long since the House expanded to keep up with population growth," New York University sociologist Dalton Conley and Northwestern University political scientist Jacqueline Stevens wrote. As a result, Conley and Stevens contended, the House "has lost touch with the public and been overtaken by special interests."³

Farris also believes a larger House would be politically more responsive — and, in his view, more conservative. "Bigger districts create more liberal legislators," he says. "The more it costs to campaign, the more beholden you are to people who want something from government."

Farris also warns that the disparities in the size of districts will increase over time. But he acknowledges that another court challenge may meet the same fate as his and that House members are unlikely to vote, in effect, to reduce their power by increasing the body's size. "The foxes have been given complete control of the henhouse," he says.

In the meantime, however, one of the states with the greatest underrepresentation under the 2000 apportionment — Utah — will be picking up a seat in the 2012 election. Under the new apportionment, Utah's four representatives will have about 692,000 constituents each, slightly below the national average. Delaware, Montana and South Dakota each remains well above the average district size, while Mississippi's four districts have about 744,000 people each, only slightly above the national average.

— Kenneth Jost

¹ For an interactive map showing average size of House districts state by state, see the Census Bureau's website: <http://2010.census.gov/2010census/data/>.

² *Clemens v. Department of Commerce*, No. 3:09-cv-00104 (U.S.D.C. — N.D. Miss.), July 8, 2010, www.apportionment.us/DistrictCourtOpinion.pdf. For coverage, see Jack Elliott Jr., "Judges reject lawsuit to increase size of House," *The Associated Press*, July 9, 2010.

³ Dalton Conley and Jacqueline Stevens, "Build a Bigger House," *The New York Times*, Jan. 24, 2011, p. A27.

— that is, one that federal courts could hear. Only two of the six justices, however, agreed that the Indiana Democrats had proved their case. As a result, the case was sent back to the lower court, with no guidelines and for an eventual ruling against the Democrats. Challengers in gerrymandering cases over the next two decades were similarly unsuccessful.¹⁶

The Supreme Court first encountered a racial gerrymander in the late 1950s in a case brought by African-American voters who, in effect, had been carved out of the city of Tuskegee, Ala., by new, irregular municipal boundaries. The court in 1960 ruled unanimously that district lines drawn only to disenfranchise black voters violated the 15th Amendment.¹⁷ The Voting Rights Act, passed and signed into law five years later, went further by specifically prohibiting interference with the right to vote (Sec-

tion 2) and forcing states and counties with a history of discrimination against minorities to preclear any election or voting changes with the Justice Department or a federal court in Washington (Section 5).

The Supreme Court upheld the act, but in 1980 held that Section 2 barred election law changes only if shown to be intentionally discriminatory. Two years later, Congress amended Section 2 by adding a "results" or "effects" test that prohibits any voting or election law change, nationwide, that denies or abridges anyone's right to vote on account of race or color. In applying the law to a North Carolina legislative redistricting case, the court crafted a three-part test for a so-called vote dilution claim. Under the so-called *Gingles* test, a plaintiff must show a concentrated minority voting bloc, a history of racially polarized voting and a change that diminishes the minority voters' ef-

fective opportunity to elect a candidate of their choice.¹⁸

Under President George H. W. Bush, the Justice Department interpreted the act in advance of the 1990 redistricting cycle to require states in some circumstances to draw majority-minority districts. Along with other factors, including incumbent protection and partisan balance, the requirement resulted in some very irregularly shaped districts. White voters challenged the district plans in several states, including North Carolina, Georgia and Texas, and won favorable rulings from the Supreme Court in each. The 1993 ruling in *Shaw v. Reno* reinstated a challenge to a majority-black district created by stitching together African-American neighborhoods in three North Carolina cities. Subsequent rulings threw out majority-black districts in Georgia in 1995 and in Texas in 1996. In the Georgia case, the court declared that

a district map could be invalidated if race was shown to be “the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district.”¹⁹

With a new decade beginning, however, the court recognized an escape hatch of sorts for states drawing majority-minority districts. In *Hunt v. Cromartie*, the court in 2001 upheld North Carolina’s redrawing of the disputed majority-black 12th Congressional District in the center of the state. A lower federal court had found the district lines still to be “facially race driven,” but the Supreme Court instead said the state’s motivation was “political rather than racial” — aimed at putting “reliably Democratic,” African-American voters in the district. The message of the ruling, as *New York Times* reporter Linda Greenhouse wrote at the time, “was that race is not an illegitimate consideration in redistricting as long as it is not the ‘dominant and controlling’ one.”²⁰

The racial line-drawing combined with demographics to increase minority representatives in Congress. The number of African-Americans in the House of Representatives increased from 26 in 1991 to 37 in 2001, and the number of Hispanics from 11 to 19.²¹ Minority groups hoped to continue to make gains in the new cycle.

Meanwhile, states braced for more litigation as the new redistricting cycle got under way. In the 1990s, 39 states were forced into court to defend redistricting plans on substantive grounds.²² Most were upheld, but some legislatures were forced to redraw lines. And courts took over the process altogether in a few states, most notably California. There, a Democratic-controlled legislature and a Republican governor deadlocked at the start of the decade, forcing the California Supreme Court to appoint a team of special masters to draw the legislative and congressional maps.

Crosscurrents

The post-2000 redistricting cycle brought a new round of political fights and legal challenges along with the nation’s first experience in Arizona with an independent citizens redistricting commission. As in the previous decade, state or federal courts in many states forced legislatures to redraw redistricting plans or drew redistricting plans themselves after legislative impasses. Arizona’s independent commission itself faced protracted litigation over its plans but ended with its maps left largely intact. The Supreme Court, meanwhile, retreated somewhat from its activist posture of the 1990s. The court declined twice to crack down on partisan gerrymandering, while its rulings on racial line-drawing gave legislatures somewhat more discretion to avoid drawing favorable districts for minorities.²³

Arizona’s Proposition 106 grew out of discontent with a Republican-drawn redistricting plan in 1992 that solidified GOP control of the legislature while giving little help to the state’s growing Hispanic population. The ballot measure gained approval on Nov. 7, 2000, with 56 percent of the vote after a campaign waged by good-government groups, including Common Cause and the League of Women Voters, and bankrolled by a wealthy Democratic activist. The congressional and legislative plans drawn by the five-member commission were challenged in court by Democrats and minority groups for failing to create enough competitive districts. In state court, the congressional map was upheld, while the legislative map was initially ordered redrawn. In a second ruling, however, the state court in 2008 found the commission had given sufficient consideration to competitiveness along with the other five criteria listed in the measure.

In other states, redistricting was still being played as classic political hard-

ball. In Pennsylvania, a GOP-controlled legislature and Republican governor combined in 2001 to redraw a congressional map after the loss of two House seats that helped the GOP win a 12-7 edge in the state’s delegation in the 2002 election. The Democratic challenge to the Pennsylvania plan went to the Supreme Court, where the justices blinked at the evident partisan motivation. Justice Kennedy’s refusal to join four other conservatives in barring partisan gerrymandering suits left the issue for another day. But the four liberals’ failure to agree on a single standard for judging such cases gave little help to potential challengers in future cases.²⁴

Two years later, the Texas redistricting case produced a similarly disappointing decision for critics of partisan gerrymandering. Preliminarily, the court found no bar to Texas’s mid-decade redistricting. On the gerrymandering claim, Kennedy wrote for three justices in finding that the new map better corresponded to the state’s political alignment than the previous districts; two others — Antonin Scalia and Clarence Thomas — repeated their call for barring gerrymandering challenges altogether. Kennedy also led a conservative majority in upholding the breaking up of African-American voters in Dallas and Houston, but he joined with the liberal bloc to find the dispersal of Latino voters in the Rio Grande Valley a Voting Rights Act violation.²⁵

In other Voting Rights Act cases, the Supreme Court and lower federal courts generally moved toward giving state legislators more leeway on how to draw racial and ethnic lines. In 2003, the high court upheld a Democratic-drawn plan in Georgia that moved African-American voters out of majority-black legislative districts to create adjoining “influence” districts where they could form majorities with like-minded voters. In the North Carolina case six years later, however, the court made plain that legislators were also free to decide not to create

Bringing Redistricting to the Big Screen

"I would like to see more people involved in the redistricting process."

Jeff Reichert, a self-described left-wing political junkie, remembers being both fascinated and outraged at the political shenanigans that Texas Republicans carried out to redraw congressional districts to their benefit in 2003. Reichert, who was working with a film-distribution company at the time, began to think of going behind the camera himself to bring the somewhat arcane subject of redistricting to the big screen.

"I just couldn't shake it," Reichert says today of his urge to make *Gerrymandering*, an 81-minute documentary released to theaters in fall 2010. "I thought there was a way of making a movie out of this."

True to its origins, the film takes a hard and mostly critical look at legislators' time-dishonored practice of drawing district lines to help one's friends and hurt one's foes.¹ Presidents of both parties — Democrats John F. Kennedy and Barack Obama and Republicans Ronald Reagan and George H. W. Bush — denounce the practice in the film's opening. The Texas story is told at length, with semicomical efforts by outvoted Democrats to decamp to Oklahoma to deny Republicans a quorum needed to complete their legislative coup.

The film gains more structure and immediacy from the successful effort in 2008 to pass California's Proposition 11, a ballot initiative to create an independent citizens redistricting commission charged with drawing state legislative boundaries. Gov. Arnold Schwarzenegger, the face of the initiative, and state Common Cause Executive Director Kathay Feng, the organizational mastermind, are presented as crusaders for the public good. "Pass Proposition 11," placards read, "to hold politicians accountable."



Documentary filmmaker Jeff Reichert defends *Gerrymandering's* one-sided examination of redistricting practices. "A lot of people feel that redistricting isn't working," he says.

© Green Film Company

The film cost "mid-six figures" to produce, Reichert says, with much of that money coming from "folks in California who had worked on the reform effort." The reformers made good use of the investment. In 2010, supporters of the 2008 ballot initiative put their weight behind a new effort — Proposition 20 — to give the citizens' commission responsibility for congressional redistricting as well. The supporters bought 660,000 copies of Reichert's DVD to send to California voters before the November midterm elections. Proposition 20 passed, with a better margin than its predecessor two years earlier.

The film drew some attention when shown in festivals in spring and summer 2010. The reviews on *Rotten Tomatoes*, a popular movie-fan website, are mixed. "Sincere but slick," one commenter writes. *New York Times* film critic Stephen Holden faulted the Proposition 11 story as "sloppily told" and took Reichert to task for failing to show anyone in defense of redistricting practices.²

Reichert makes no apologies for the film's one-sided critique of gerrymandering. "Documentary filmmakers aren't journalists," he says. "I have a perspective. I would like to see more people involved in the redistricting process."

Still, Reichert takes a time-will-tell attitude toward California's experiment with citizen-drawn district lines and reform efforts in other states. Some will succeed, he says, and some won't. For now, however, "a lot of people feel that redistricting isn't working."

— Kenneth Jast

¹ For background, see the film's website: www.gerrymanderingmovie.com.

² Stephen Holden, "The Dark Art of Drawing Political Lines," *The New York Times*, Oct. 15, 2010, p. C18.

such "crossover" or "influence" districts. In that case, a lower state court had interpreted the Voting Rights Act to require concentrating minority voters even if they did not constitute a majority in the district.²⁶

As the decade neared an end, new attention was focused on reform proposals. In California, Gov. Schwarzenegger had made redistricting reform a

major issue since taking office in 2003. In 2005, voters rejected by a 3-2 margin his ballot measure, Proposition 77, to give redistricting authority to a panel of retired judges. Three years later, Schwarzenegger worked closely with Common Cause and the League of Women Voters to push the more complex citizens' commission proposal, Proposition 11. In a crucial deci-

sion, supporters sought to neutralize potential opposition from members of Congress by leaving congressional redistricting in the legislature's hands. The plan won approval by fewer than 200,000 votes out of 12 million cast (51 percent to 49 percent). Two years later, with House Democrats focused on midterm elections, the measure to add congressional redistricting to the

commission's authority, Proposition 20, passed easily.

In Florida, reformers suffered a setback mid-decade when the state supreme court barred a redistricting proposal in 2005 as violating the state's "single-subject rule" for initiatives. The redrawn proposals, on the ballot in November 2010 as Amendments 5 and 6, set out parallel criteria for the legislature to follow in redrawing legislative and congressional districts: contiguous, compact where possible, "not drawn to favor or disfavor an incumbent or political party" and "not drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice." Fair Districts Florida received major contributions from teachers' unions; the opposition group, Protect Our Vote, got the bulk of its money from the state's Republican Party. The measure passed with 62.6 percent of the vote. ■

CURRENT SITUATION

Advantage: Republicans

Republican control of congressional redistricting machinery in major states adding or losing House seats puts the GOP in a favorable position to gain or hold ground in the 2012 elections. But Democrats will try to minimize partisan line-drawing and lay the groundwork for court challenges later.

The November 2010 elections gave Republicans undivided control of 25 state legislatures plus Nebraska's nominally nonpartisan unicameral body. Democrats control 16, while eight other states have divided party control between two chambers. "Republicans control more legislatures," says Columbia law professor Persily. "They are in

the driver's seat when it comes to drawing lines."

But Jeffrey Wice, a Democratic redistricting attorney in Washington, says pressure by good-government groups for greater transparency and public participation adds a new element that may reduce partisan gerrymandering. "We're too early in the game to predict winners and losers," Wice says. "There's no simplicity in this process."

Out of eight states picking up House seats in the current reapportionment, Republicans control both houses of the state legislature and the governor's offices in five, including the two biggest gainers: Texas, with four new seats, and Florida, with two. The GOP also has undivided control in Georgia, South Carolina and Utah, each picking up one seat. All five states currently have majority-Republican delegations.

Republicans also have undivided control in three states to lose seats: Ohio, giving up two seats, as well as Michigan and Pennsylvania. In those states, Republican lawmakers are likely to draw maps to try to avoid losing House seats in the currently majority-GOP delegations.

Democrats start the congressional redistricting process with significantly less leverage. They have undivided control of redistricting machinery in none of the three other states to gain seats. Arizona and Washington both use bipartisan commissions to redraw congressional districts. In Nevada, Democrats have majorities in both legislative chambers, but Republican Gov. Brian Sandoval could veto a redistricting plan approved by the legislature.

Among states losing seats, Democrats have undivided control only in Illinois, where Republicans currently have an 11-8 majority in the House delegation, and Massachusetts, where Democrats hold all nine current House seats. In New York, which loses two seats, Democrats control the Assembly and Republicans the Senate — setting the stage for a likely deal in which each

party yields one House district.

Louisiana's legislature is also divided, with Republicans in control in the House and the two parties tied with one vacancy in the Senate. Democrats hold only one of the state's current seven House seats. In Missouri, a Republican-controlled legislature will draw congressional districts, but Democratic Gov. Jay Nixon has to sign or veto any plan approved by lawmakers.

New Jersey, the one other state losing a House seat, uses a bipartisan commission. Democrats have a 7-6 majority in the state's current congressional delegation, but the state is losing population in the predominantly Democratic north and gaining population in Republican areas to the west and south.

California poses the biggest question mark for the 2012 congressional districts. The state's current congressional map favors Democrats, who hold 35 of the 53 House seats. Democrats also hold a nearly 2-to-1 majority in both legislative chambers.

A chart presented to the Citizens Redistricting Commission in an early training session shows that congressional districts in predominantly Democratic Los Angeles and San Francisco are now underpopulated, while districts in some Republican areas — such as the so-called Inland Empire to the east of Los Angeles — are overpopulated.²⁷ As a result, Los Angeles and San Francisco could lose seats or at least shed voters to adjoining districts.

The commission has pointedly avoided deciding so far whether — or to what extent — to use the existing legislative and congressional districts as a starting point for the new maps. But commission members Ward and Dai both stressed that the ballot measures creating the commission specifically prohibit any consideration of protecting incumbents. "The idea of creating competitive districts," Ward adds, "seems to be unanimous among the commissioners."

Continued on p. 186

At Issue:

Should redistricting be done by independent commissions?



DEREK CRESSMAN
*WESTERN REGIONAL DIRECTOR,
COMMON CAUSE*

WRITTEN FOR *CQ RESEARCHER*, FEBRUARY 2011

Throughout 2011, states will redraw their political districts in a process usually controlled either directly or indirectly by state legislators, the very people with the most to gain or lose from the outcome. The process will almost always cater to incumbent or partisan self-interests. Too often, it also will divide communities, dilute the political strength of ethnic voters and virtually guarantee re-election for the vast majority of incumbents. Unable to hold politicians accountable, too many voters will be left feeling powerless, and citizen participation in politics will suffer.

Reforming this dysfunctional process is fundamental to restoring both a truly representative government and one that can solve societal problems. When voters are disengaged and stay home on election day, legislators have little incentive to act, whatever the issue.

Gerrymandering — manipulating district lines in a way that essentially predetermines election results — has been with us since the early days of our republic. Today, it's more sophisticated, and more sinister, than ever.

Using powerful computer-mapping software, legislators and their political consultants can draw boundaries that remove a potential opponent from a district, add or subtract voters of a certain ethnicity, bring in big donors or concentrate members of an opposing party in a single district to reduce their overall representation. Elections in the ensuing decade are so predetermined that there is little left for voters to choose.

This is a mess best addressed by turning over redistricting to independent, citizen commissions whose members have no stake in where the lines are drawn. California recently made this move, creating a citizens commission of five Democrats, five Republicans and four independent or minor-party voters. The new law requires the panel to make compliance with the federal Voting Rights Act a priority and avoid splitting communities. The commission is prohibited from drawing districts to aid any incumbent legislator off-the-record. Most important, the commission has to conduct all hearings in public, with no off-record conversations about maps allowed.

Other states have created similar panels, though none go as far as California to wring partisanship and self-interest from the redistricting process. And while no commission can be expected to produce maps that please everyone, any effort that shifts the focus of redistricting toward the voters' interest in accountable, effective government and away from the politicians' interest in self-preservation and partisan advantage is a step in the right direction.



BRUCE E. CAIN
*HELLER PROFESSOR OF POLITICAL SCIENCE,
UNIVERSITY OF CALIFORNIA, BERKELEY, AND
EXECUTIVE DIRECTOR, UC WASHINGTON
CENTER*

WRITTEN FOR *CQ RESEARCHER*, FEBRUARY 2011

Replacing legislative redistricting with independent commissions is high on the reform agenda, but is it really so obviously irrational or shameful for a state to resist this trend?

Even the most independent commissions, such as those in Arizona and California, have peculiar issues. Most basically, there is the composition problem. Legislatures are imperfectly reflective of state populations, but they are at least democratically elected and relatively large. Commissions are both appointed (in California's case by an odd, convoluted mix of jury selection and college application-style procedures) and small (making it harder to reflect population diversity). If there is controversy over the lines, as there usually is, these composition disputes can figure prominently in the ensuing litigation.

For good and bad reasons, commissions tend to be more expensive. There are high costs associated with being more open and independent. Greater transparency means more hearings and outreach efforts, which are costly and time consuming to set up, and the yield in terms of broad public participation as opposed to the usual interested groups will likely be low. And given that any association with political parties or elected officials is grounds for exclusion by virtue of excessive political interest, commissions cannot borrow from legislative and political staff. They must hire consultants instead.

Commissions are also no less likely to end up in lawsuits or political controversies. Redistricting is inherently political, involving choices and trade-offs related to race, communities of interest, the integrity of city and county boundaries, the number of competitive seats and so on. However one chooses, someone is going to feel aggrieved. Commissioners cannot be sequestered like jury members or insulated from political influences. Doing without political or incumbency data only means making controversial decisions blindly, not avoiding them. The losers in redistricting disputes will derive little consolation from the commission's efforts at impartiality by empirical blindness, which is why commissions to date have been no more successful in avoiding legal challenges.

On the other side, the sins of legislative redistricting have been grossly exaggerated. Partisan redistricting is rare, and in states with term limits, redistricting is less important than it used to be. Studies show that effects of redistricting on competition and party polarization are marginal at best, casting doubt on the hyperventilated assertions of commission advocates.

So adopt a commission if you must, but expect no miracles. Just be prepared to pay the consultants' bills.

REDISTRICTING DEBATES

Continued from p. 184

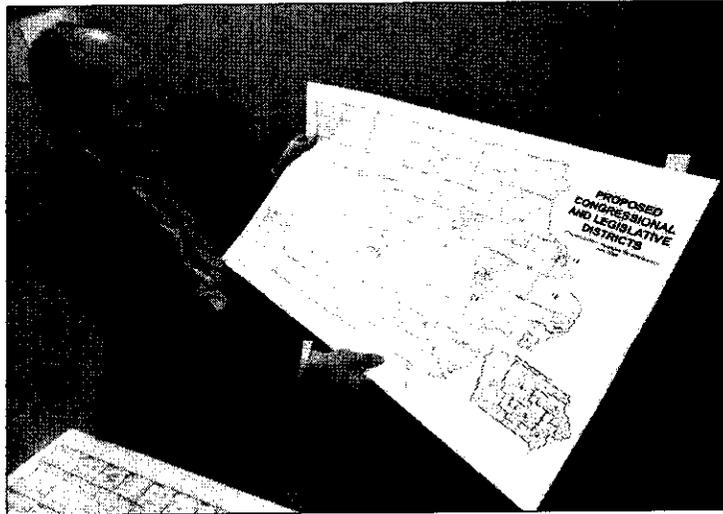
In some Republican-controlled states, demographics may limit the GOP's opportunity to gain ground. In particular, Latino advocacy groups believe that Texas will be required to make two of the four new congressional districts majority Latino. That would benefit Democrats since Latinos in Texas and elsewhere have been voting predominantly Democratic in recent elections.

In Virginia, a different demographic change — the growth of the Northern Virginia suburbs surrounding Washington, D.C. — is seen as a possible benefit for Democrats in redrawing the existing 11 House seats despite the GOP's control of the redistricting machinery. Northern Virginia is seen as more liberal than rural counties in the state's south and west, some of which are losing population, according to the Census Bureau.

Forecast: Cloudy

California's new Citizens Redistricting Commission is just getting organized even as a midsummer deadline looms for the 14 map-drawing neophytes to complete the nation's largest legislative and congressional redistricting.

The commission spent two-and-a-half days in mid-February working on housekeeping matters without touching on any of the politically sensitive issues members will face in redrawing lines for 53 congressional districts, 40 state Senate districts and 80 state Assembly districts in the nation's most populous state



Ed Cook, legal counsel for the Iowa Legislative Services Agency, displays a map Feb. 9 that is being used to help draw new congressional district lines in the state. Iowa is losing a seat in the U.S. House of Representatives during reapportionment. Unique among the states, Iowa essentially assigns legislative and congressional redistricting to professional staff, subject to legislative enactment and gubernatorial approval.

AP Photo/Charlie Neibergall

"We do believe we're behind schedule," says Ward, the Anaheim chiropractor who held the rotating position of chair for the commission's Feb. 10-12 sessions. "Given the compressed time line, I don't believe you can ever be on schedule."

As in California, redistricting is still in initial stages in most states, but is moving faster in the four that must redraw legislative lines quickly because of general elections scheduled this fall and primary elections beginning this summer. Besides New Jersey, the others are Louisiana, Mississippi and Virginia — Southern states with divided legislatures and significant African-American populations. Under the Voting Rights Act, all three must have redistricting maps precleared by either the Justice Department or a federal court in Washington.

The California commission is working on an ambitious series of four public sessions in each of nine regions in the state, with informational or educational workshops to explain the redistricting process hoped to begin in March. Plans then call for more for-

mal public-input meetings to be held before maps are drawn, as they are being drawn and again after the maps are completed.

Proposition 20, the 2010 ballot measure, established an Aug. 15 deadline for the maps to be certified to the state's secretary of state. But commission member Dai explains that to allow time for public notice and for preclearance — five of the state's counties are subject to the Voting Rights Act's Section 5 — the commission's target date for completion is July 25.

The four states with legislative elections this year are all moving to get redistricting maps up for decisions in March or April.

In New Jersey, the 10-member legislative redistricting commission — with five members appointed by each of the Democratic and Republican state chairs — is holding a series of public hearings aimed at submitting a map by an early April deadline. "The two delegations have been working on tentative maps," says Alan Rosenthal, a professor of political science at Rutgers University in Newark, who is a likely candidate to be named by the state's chief justice as a tie-breaker if the commission reaches an impasse. The separate commission to redraw New Jersey's congressional districts — to be reduced from 13 to 12 — has not been appointed yet.

In Louisiana, the legislature's governmental affairs committees were due to complete eight public hearings around the state by March 1; the legislature was then to convene on March 20 in special session to redraw legislative and congressional districts. Mississippi's Standing Joint Committee on

Reapportionment also held public hearings in February, with an announced plan to bring redistricting proposals to the floor of each chamber in early March.

In Virginia the General Assembly's Joint Reapportionment Committee set up an Internet site in December for public comment on redistricting proposals and then laid plans for a special session to begin April 6. Meanwhile, Republican Gov. Bob McDonnell fulfilled a campaign pledge on Jan. 9 by appointing a bipartisan, 11-member advisory commission on redistricting. The commission plans to propose legislative and congressional redistricting plans by April 1, but the legislature will not be bound to follow the recommendations.

Meanwhile, political skirmishes are breaking out in other states. Litigation is already under way in Florida over the newly passed anti-gerrymandering ballot measures. Two minority-group members of Congress filed a federal court suit immediately after the election challenging Amendment 6 on congressional redistricting as a violation of the Constitution and the Voting Rights Act. Reps. Mario Diaz-Balart, a Hispanic Republican, and Corrine Brown, an African-American Democrat, argue standards for congressional district-drawing are up to Congress, not the states; in addition, they say the Voting Rights Act requires protection for already-elected minority legislators. Separately, supporters of the amendment have filed suit against Republican Gov. Rick Scott for failing to submit Amendment 6 to the Justice Department for preclearance.²⁸

In other states, Democratic legislators in New York are pressing the GOP-controlled state Senate to stick to pre-election campaign pledges by Republican members and candidates to support an independent commission to redraw lines. In Michigan, a coalition of reform groups is urging the GOP-controlled legislature to allow

more public input by posting any redistricting maps on the Internet at least 30 days before taking action. And in Illinois, Democratic Gov. Pat Quinn is weighing whether to sign a bill approved by the Democratic-controlled legislature to require four public hearings on any redistricting proposal and, significantly, to require creation of minority group-protective "crossover" and "influence" districts where feasible. ■

OUTLOOK

Not a Pretty Picture?

The 20 "most gerrymandered" congressional districts in the United States selected by the online magazine *Slate* present an ugly picture of the redistricting process. The boundaries of the districts — 16 of them represented by Democrats as of 2009 — zig and zag, twist and turn and jut in and out with no apparent logic.²⁹

To redistricting expert Storey, however, many of the districts amount to marvels of political-representation engineering. As one example, Storey points to Arizona-2, which stretches from the Phoenix suburbs to the state's northwestern border and then connects only by means of the Colorado River to a chunk of territory halfway across the state to the east.

As Storey explains, the safely Republican district was drawn in the post-2000 cycle to include a Hopi reservation while placing the surrounding reservation of the rival Navajo nation in an adjoining district. And the districting scheme was crafted not by a politically motivated legislature but by the then brand-new independent citizens redistricting commission.

Among *Slate's* list of worst districts are others drawn to connect minority

communities, such as Illinois-4 (majority Hispanic) and several majority African-American districts in the South (Alabama-7, Florida-23, North Carolina-12). "Lines that look funny may represent real communities without any partisan motivation," says Loyola law professor Levitt.

"There are reasons why districts aren't pretty," adds Cynthia Canary, director of the Illinois Campaign for Political Reform. "But people want pretty."

The people who "want pretty" may well be disappointed again with the post-2010 redistricting cycle despite the concerted efforts of reform-minded groups and experts to improve the process. "This is going to be hardball politics," Sherri Greenberg, a professor at the University of Texas Lyndon B. Johnson School of Public Affairs in Austin and a former Texas legislator, says of the state's redistricting process just now under way. "This is a process that creates enemies, not friends."

In California, however, members of the Citizens Redistricting Commission are professing optimism that they can reach a bipartisan agreement on maps that are both fairer and more competitive than the existing legislative and congressional districts. "There really has been no evidence of partisanship among the commissioners," says Dai, one of the Democratic members. Asked whether a bipartisan agreement is "doable," Republican commissioner Ward replies simply: "Undoubtedly, yes, it is doable."

Reformers are similarly hopeful about the likely outcome of the anti-gerrymandering measures in Florida. "It's going to stop the most egregious gerrymanders," says MacDonald, the professor who co-founded the Public Mapping Group. But John Ryder, the Tennessean who heads the Republican National Committee's redistricting committee, says the Florida measures — with the stated prohibition against helping or hurting a political party or candidate — defy logic. "It's simply an unenforceable standard," he says.

REDISTRICTING DEBATES

Latino advocacy groups have high hopes — and expectations — for the current round of redistricting. MALDEF president Thomas Saenz predicts nine new majority-Hispanic districts, including two in Texas. Perales, the group's litigation director, makes clear that MALDEF is prepared to go to court to defend plans that increase Latinos' political influence and challenge any that do not.

For her part, the NAACP Legal Defense Fund's Clarke declines to predict whether the redistricting cycle will help elect more African-Americans to the next Congress. "We don't have quotas," Clarke says. But she stresses that the Legal Defense Fund is closely monitoring developments in states to try to prevent dismantling existing influence districts as well as those with majority black population.

Politically, experts are predicting Republican gains in the 2012 congressional elections, thanks to geographic shifts as well as political control of redistricting machinery in close to half the states. Galdaresi, the UC-Irvine professor, expects the GOP to pick up seven to 15 House seats.

Political pros profess uncertainty. "I think it takes a pretty good crystal ball to predict what the net effect of redistricting is," the RNC's Ryder says. Democratic attorney Wice thinks public pressure may reduce Republicans' ability to engineer favorable plans. "It's not over by any means to give the Republicans the final word," he says.

Whatever happens in the first round, many, perhaps most, of the redistricting plans will be headed for a second round in the courts. "It's hard not to predict litigation in redistricting," says Perales. "Somebody's always unhappy after the plan is done."

Increased public participation may influence the process not only in legislatures and commissions but also in the courts, according to Norman Ornstein, a longtime Congress watcher now at the conservative American Enterprise Institute think tank. "Courts will have more information to use in evaluating or drawing maps," he says.

But the calls for more public participation will be a challenge to citizen groups. "This is an incredibly complex topic," says Canary. "Nobody out in the public knows why it is so complicated." ■

Notes

¹ Dai's and Ward's background taken in part from their application for the positions, posted on the California Citizens Redistricting Commission's website: <http://wedrawthelines.ca.gov/>.

² For previous *CQ Researcher* coverage, see Kenneth Jost, "Redistricting Disputes," March 12, 2004, pp. 221-248; Jennifer Gavin, "Redistricting," Feb. 16, 2001, pp. 113-128; Ronald D. Elving, "Redistricting: Drawing Power With a Map," Feb. 15, 1991, pp. 98-113.

³ For background, see Nadine Cohodas, "Electing Minorities," *CQ Researcher*, Aug. 12, 1994, pp. 697-720.

⁴ The Texas case is *League of United Latin American Citizens (LULAC) v. Perry*, 548 U.S. 399 (2006). The previous cases are *Vieth v. Jubelirer*, 541 U.S. 267 (2004); and *Davis v. Bandemer*, 478 U.S. 109 (1986).

⁵ Thomas Brunell, *Redistricting and Representation: Why Competitive Elections Are Bad for America* (2008).

⁶ The quote is from a power-point presentation, "Redistricting 101," by the Brennan Center for Justice and MALDEF, dated Feb. 23, 2010, www.midwestredistricting.org/. The court case is *Hastert v. State Board of Elections*, 777 F.Supp. 634 (N.D. Ill. 1991). For coverage, see Thomas Hardy, "GOP in clover as federal judges approve congressional remap," *Chicago Tribune*, Nov. 7, 1991, p. 2.

⁷ The first three decisions are *Miller v. Johnson*, 515 U.S. 900 (1995) (Georgia); *Shaw v. Hunt*, 517 U.S. 889 (1996) (North Carolina); and *Bush v. Vera*, 517 U.S. 952 (1996) (Texas). The Supreme Court summarily upheld the Illinois plan in *King v. Illinois Board of Elections*, 522 U.S. 1087 (1998). The final ruling is *Hunt v. Cromartie*, 532 U.S. 234 (2001). For a summary compilation, see "Redistricting Disputes," *op. cit.*, p. 228.

⁸ The citation is 556 U.S. 1 (2009).

⁹ The Arizona Independent Redistricting Commission's website is at www.azredistricting.org/?page=.

¹⁰ For a comprehensive overview, see "Reapportionment and Redistricting" in *Guide to Congress* (6th ed., 2008), pp. 1039-1072. See also "The Right to an Equal Vote" in David G. Savage, *Guide to the U.S. Supreme Court* (5th ed., 2010), Vol. 1, pp. 640-653.

¹¹ Edward W. Saunders was elected from Virginia's 5th congressional district in 1908 after Floyd County was transferred to the adjoining 6th district. The transfer left the 5th district with significantly less population than the 6th. Saunders' opponent, who would have won the election in the district as previously drawn, challenged Saunders' seating on the ground of the 1901 apportionment act; a committee recommended the challenger be seated, but the House did not act on the recommendation. See "Reapportionment and Redistricting," *op. cit.*, p. 1049.

¹² The Mississippi case is *Wood v. Broom*, 287 U.S. 1 (1932). The citation for *Colegrove v. Green* is 327 U.S. 549 (1946). The dissenting justices were Hugo L. Black, William O. Douglas and Francis Murphy.

¹³ See *Baker v. Carr*, 369 U.S. 186 (1962); *Gray v. Sanders*, 372 U.S. 368 (1963); *Wesberry v.*

About the Author



Associate Editor **Kenneth Jost** graduated from Harvard College and Georgetown University Law Center. He is the author of the *Supreme Court Yearbook* and editor of *The Supreme Court from A to Z* (both *CQ Press*). He was a member of the *CQ Researcher* team that won the American Bar Association's 2002 Silver Gavel Award. His previous reports include "States and Federalism" and "Campaign Finance Debates." He is also author of the blog *Jost on Justice* (<http://jostonjustice.blogspot.com>).

Sanders, 376 U.S. 1 (1964); *Reynolds v. Sims*, 377 U.S. 533 (1964).

¹⁴ Jack L. Noragon, "Congressional Redistricting and Population Composition, 1964-1970," *Midwest Journal of Political Science*, Vol. 16, No. 2 (May 1972), pp. 295-302, www.jstor.org/pss/2110063.

¹⁵ The cases are detailed in Savage, *op. cit.*, pp. 646-650.

¹⁶ The citation is 478 U.S. 109 (1986).

¹⁷ The case is *Gomillon v. Lightfoot*, 364 U.S. 339 (1960).

¹⁸ The decision is *Thornburg v. Gingles*, 478 U.S. 30 (1986); the earlier ruling is *Mobile v. Bolden*, 446 U.S. 55 (1980).

¹⁹ For a summary compilation, with citations, see "Redistricting Disputes," *op. cit.*, p. 228.

²⁰ See Linda Greenhouse, "Justices Permit Race as a Factor in Redistricting," *The New York Times*, April 19, 2001, p. A1.

²¹ "Redistricting Disputes," *op. cit.*, p. 233.

²² *Outline of Redistricting Litigation: The 1990s*, National Conference of State Legislatures, www.senate.mn/departments/scr/redist/redout.htm.

²³ Coverage drawn in part from *Outline of Redistricting Litigation: The 2000s*, National Conference of State Legislatures, www.senate.mn/departments/scr/redist/redsum2000/redsum2000.htm.

²⁴ The case is *Vieth v. Jubelirer*, *op. cit.* For a comprehensive account, see Kenneth Jost, *Supreme Court Yearbook 2003-2004*.

²⁵ The case is *LULAC v. Perry*, *op. cit.* For a comprehensive account, see Kenneth Jost, *Supreme Court Yearbook 2005-2006*. See also Steve Bickerstaff, *Lines in the Sand: Congressional Redistricting in Texas and the Downfall of Tom DeLay* (2007).

²⁶ The decisions are *Georgia v. Ashcroft*, 539 U.S. 461 (2003); *Bartlett v. Strickland*, *op. cit.*

²⁷ Karin MacDonald and Nicole Boyle, "Redistricting California: An Overview of Data, Processes and GIS," Statewide Database, Berkeley Law, p. 53, http://wedrawthelines.ca.gov/downloads/crc_public_meeting_20101130_training_karin_mac_donald_nicole_boyle.pdf.

²⁸ See Marc Caputo and Lee Logan, "Redistricting Amendment Challenged," *St. Petersburg Times*, Nov. 4, 2010, p. 4B; Steve Bousquet, "Scott's Action May Stall Ban on Gerrymandering," *ibid.*, Jan. 26, 2011, p. 1B.

²⁹ See "The 20 Most Gerrymandered Districts," *Slate*, www.slate.com/id/2274411/slideshow/2208554/fs/0/entry/2208555/. The unsigned, undated slide show was apparently posted in 2009.

FOR MORE INFORMATION

Asian America Justice Center, 1140 Connecticut Ave., N.W., #1200, Washington, DC 20036; (202) 296-2300; www.advancingequality.org. Organization founded in 1991 to advance human and civil rights of Asian Americans.

Brennan Center for Justice, New York University Law School, 161 Sixth Ave., 12th Floor, New York, NY 10013; (646) 292-8310; www.brennancenter.org. Nonpartisan public policy and law institute founded in 1995 that focuses in part on voting rights and campaign and election reform.

Common Cause, 1250 Connecticut Ave., N.W., #600, Washington, DC 20036; (202) 833-1200; www.commoncause.org. Nonpartisan public-interest advocacy organization founded in 1970.

League of United Latin American Citizens, 2000 L St., N.W., Suite 610, Washington, DC 20036; (202) 833-6130; www.lulac.org. Organization founded in 1929 to advance the economic condition, educational attainment, political influence, housing, health and civil rights of the U.S. Hispanic population.

League of Women Voters, 1730 M St., N.W., Suite 1000, Washington, DC 20036-4508; (202) 429-1965; www.lwv.org. Nonpartisan organization founded in 1920 to promote government reform through education and advocacy.

Mexican American Legal Defense and Educational Fund, 634 S. Spring St., Los Angeles, CA; (213) 629-2512; www.maldef.org. Leading Latino civil rights advocacy organization, founded in 1968.

NAACP Legal Defense and Educational Fund, 99 Hudson St., 6th Floor, New York, NY 10013-6289; (212) 965-2200; <http://naacpldf.org>. Nonprofit civil rights law firm founded in 1940.

National Association of Latino Elected and Appointed Officials, 600 Pennsylvania Ave., S.E., Suite 230, Washington, DC 20003; (202) 546-2536; www.naleo.org. Organization founded in 1976 as a national forum for Latino officials.

National Conference of State Legislatures, 7700 E. First Place, Denver, CO 80230; (303) 364-7700; www.ncsl.org. Bipartisan organization that provides research, technical assistance and other support for legislators and legislative staff in the states, commonwealths and territories.

Project on Fair Representation, 1150 17th St., N.W., #910, Washington, DC 20036; (703) 505-1922; www.projectonfairrepresentation.org. Legal defense fund founded in 2005 to support litigation that challenges racial and ethnic classifications and preferences in state and federal courts.

Public Mapping Project, Prof. Michael MacDonald, George Mason University, Department of Public and International Affairs, 4400 University Drive — 3F4, Fairfax, VA 22030-4444; www.publicmappingproject.org. A project founded for the post-2010 redistricting cycle to make census data and redistricting software available to general public.

The two major political parties' national committees:

Democratic National Committee, 430 South Capitol St., S.E., Washington, DC 20003; (202) 863-8000; www.dnc.org.

Republican National Committee, 310 1st St., S.E., Washington, DC 20003; (202) 863-8500; www.rnc.org.

Bibliography

Selected Sources

Books

Brunell, Thomas, *Redistricting and Representation: Why Competitive Elections Are Bad for America*, Routledge, 2008.

A professor at the University of Texas at Dallas argues that competitive elections are not vital for effective representation, but in fact increase the number of people who "are left unrepresented in Congress." Includes notes, references.

Bullock, Charles S. III, *Redistricting: The Most Political Activity in America*, Rowman & Littlefield, 2010.

A professor at the University of Georgia summarizes background information on congressional and legislative redistricting and examines the strategies and tactics of a process that he says is inevitably political if in control of elected officials. Includes notes.

Cox, Gary W., and Jonathan N. Katz, *Elbridge Gerry's Salamander: The Electoral Consequences of the Reapportionment Revolution*, Cambridge University Press, 2002.

The authors argue that, contrary to conventional wisdom, the reapportionment revolution of the 1960s onward was not without political consequence but had two lasting effects: strengthening the Democratic advantage in the U.S. House of Representatives and the advantage of incumbents over challengers. Cox is a professor emeritus at the University of California-San Diego, Katz a professor at the California Institute of Technology. Includes notes, references.

Galderisi, Peter F. (ed.), *Redistricting in the New Millennium*, Lexington Books, 2005.

The 14 essays by 18 contributors include overviews of events through the turn of the 21st century; detailed examination of race and redistricting and case studies of redistricting in several states. Editor Galderisi is a lecturer at the University of California-San Diego. Includes notes, 12-page bibliography.

Winburn, Jonathan, *The Realities of Redistricting: Following the Rules and Limiting Gerrymandering in State Legislative Redistricting*, Lexington Books, 2008.

A professor at the University of Mississippi examines the "realities" of redistricting as seen in four institutional settings: unified partisan control of the state legislature; divided partisan control; partisan commission; and bipartisan commission. Includes selected bibliography.

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A professor at East Carolina University chronicles the decadelong fight over congressional redistricting in North Carolina that first recognized constitutional objections to racially drawn district lines but ended with upholding a plan

with district lines drawn to take race into account to some degree. Includes chronology, short bibliographical essay.

Articles

"Reapportionment and Redistricting," in *Guide to Congress* (6th ed.), CQ Press, 2007, pp. 1039-1072, <http://library.cqpress.com/congressguide/toc.php?mode=guides-toc&level=3&values=Part+VII%3A+Congress+and+the+Electorate-Ch.+33++Reapportionment+and+Redistricting> (purchase required).

The chapter provides a comprehensive overview of developments in regard to congressional reapportionment and redistricting from the Constitutional Convention through the mid-2000's. Includes select bibliography.

Reports and Studies

"The Impact of Redistricting in YOUR Community: A Guide to Redistricting," NAACP Legal Defense and Educational Fund/Asian American Justice Center/Mexican American Legal Defense and Educational Fund, 2010.

The 78-page guide covers redistricting practices and policies as they affect racial and ethnic minorities. Includes state-by-state listing of contact information for redistricting authorities.

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The 127-page guide published by the nonpartisan public policy and law institute covers from an often critical perspective the basics of current redistricting practices and outlines current reform proposals. Includes additional resources, notes, other appendix materials. Levitt is now an associate professor at Loyola Law School in Los Angeles.

"Redistricting Law 2010," National Conference of State Legislatures, 2009.

The 228-page guide covers current redistricting practices, step by step and subject by subject. Includes notes, extensive appendix materials.

On the Web

GovTrack, www.govtrack.us/congress/findyourreps.xpd.

This private, unofficial website includes well-organized, state-by-state information and maps on congressional districts and current members of Congress.

Note: For earlier works, see "Bibliography" in Kenneth Jost, "Redistricting Debates," CQ Researcher, March 12, 2004, p. 243.

The Next Step:

Additional Articles from Current Periodicals

Commissions

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A California commission that intends to draw legislative districts fairly must reflect the state's racial and ethnic diversity.

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Political maneuvering is threatening to undermine the bipartisan nature of the New Jersey redistricting commission.

Schmidt, Katie, "Redistricting Commission Picks Chair," *The Olympian* (Wash.), Jan. 28, 2011, www.theolympian.com/2011/01/28/1523621/redistricting-commission-picks.html.

Washington's redistricting commission has selected a chairwoman who says the state's redistricting process is less political and less prone to gerrymandering than that of many other states.

Gerrymandering

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Tea Party followers in New Jersey want to provide input in the redistricting process.

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Gerrymandering has become easier with the availability of high-tech computer modeling of voter behavior.

Lawsuits

Bakst, Brian, "Democrats Head to Court Over Minn. Political Map," *The Associated Press*, Jan. 14, 2011, lacrosse.tribune.com/news/local/govt-and-politics/article_1cd0ba75-32e8-5eba-9fae-f4cfbbd642ac.html.

Four Democrats have filed suit in U.S. District Court seeking intervention in the redistricting process.

McNutt, Michael, "Lawsuit Challenges Redistricting Panel," *The Oklahoman*, Jan. 25, 2011, p. 3A, newsok.com/lawsuit-challenges-oklahomas-redistricting-revision-plan-okd-by-voters-in-sq-748/article/3535088.

Leaving independent voters out of a commission to redraw Oklahoma's legislative districts is unconstitutional, according

to a lawsuit filed with the state's Supreme Court.

Schneider, Mike, "US Reps. Challenge Florida's Redistricting Law," *The Associated Press*, Nov. 3, 2010.

Two members of Congress claim an amendment to the Florida Constitution that sets forth rules for drawing congressional districts doesn't fairly represent blacks and Hispanics.

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Grado, Gary, "No Redistricting Commission Yet in Arizona, But Maneuvering Under Way," *Arizona Capitol Times*, Jan. 21, 2011, newsok.com/lawsuit-challenges-oklahomas-redistricting-revision-plan-okd-by-voters-in-sq-748/article/3535088.

The Arizona Minority Coalition For Fair Redistricting is seeking competitive balance between majority and minority ethnic groups in districts where most voters are minorities.

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A proposed Illinois bill would require the legislature to draw district maps that protect minorities in districts where they may not have enough votes to elect a lawmaker but are numerous enough to influence the outcome.

Yen, Hope, "Minority Surge Sparks U.S. Population Growth," *Detroit Free Press*, Feb. 4, 2011, p. A3, www.freep.com/article/20110204/NEWS07/102040327/Minority-surge-sparks-U-S-population-growth.

The growth of the U.S. Hispanic population will inevitably lead to the election of more Hispanic officials once the redistricting process is completed.

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Jost, Kenneth. "Rethinking the Death Penalty." *CQ Researcher* 16 Nov. 2001: 945-68.

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Jost, K. (2001, November 16). Rethinking the death penalty. *CQ Researcher*, 11, 945-968.

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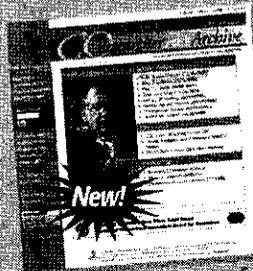
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PRA Montooth from Yao Fwd: Media Coverage of US Department of Justice Greenlighting CRC on Congressional Districts

1 message

Yao, Peter <peter.yao@crc.ca.gov>

Sat, Apr 23, 2011 at 10:17 PM

To: Kermit Torres <Kermit.Torres@crc.ca.gov>

----- Forwarded message -----

From: Wilcox, Rob <rob.wilcox@crc.ca.gov>

Date: Tue, Feb 8, 2011 at 6:45 PM

Subject: Media Coverage of US Department of Justice Greenlighting CRC on Congressional Districts

To: Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, "Dai, Cynthia" <cynthia.dai@crc.ca.gov>, Michelle DiGuilio <Michelle.DiGuilio@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Connie Galambos-Malloy <connie.galambos-malloy@crc.ca.gov>, Lilbert Ontai <lilbert.ontai@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>

Hi All:

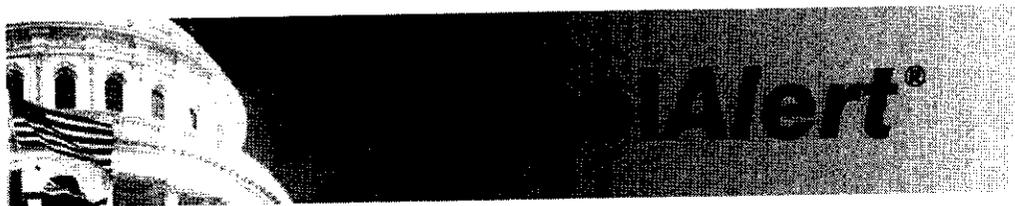
Here is the link to coverage of the US Department of Justice's ruling giving a pre-clearance to the Commission to proceed with drawing Congressional district boundaries.

http://blogs.sacbee.com/capitolalert/latest/2011/02/redistricting-panel-gets-ok-congressional-districts.html#mi_rss=Capitol%20Alert

I look forward to meeting you all in Claremont.

Rob Wilcox
Communications Director
Citizens Redistricting Commission

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The latest on California politics and government

February 8, 2011

Redistricting panel gets green light on congressional districts

The U.S. Department of Justice has given the green light for California to allow the newly created **Citizens Redistricting Commission** to shape the state's congressional district lines.

The decennial task of redrawing the map for state legislative and Board of Equalization districts was shifted from the Legislature to the 14-member panel by a successful 2008 ballot measure. **Proposition 20**, which was approved last November, added congressional districts to the commission's workload.

The Voting Rights Act requires Department of Justice preclearance for certain changes to election laws or processes, including redistricting, in designated areas. Four California counties are subject to preclearance under Section 5 of the Voting Rights Act.

"Preclearance has confirmed what we have known all along: that Proposition 20 protects the rights of California voters," Proposition 20 proponent and major funder **Charles T. Munger Jr.** said in a statement. "Now California can move forward to implement Proposition 20 fully and bring fair elections to California's 53 congressional districts."

Categories: Redistricting

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klokeid

Section 5 currently covers nine states and parts of seven others. The fully covered states are Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia; the partially covered states are California, Florida, Michigan, New Hampshire, New

York, North Carolina, and South Dakota.

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Grant Klokeid

Merced is one of only four counties in California subject to the rules of Section 5. The other three counties in California are Kings, Monterey and Yuba. Nine entire states and portions of six other states also must follow the rules of Section 5.

Merced County -- then home to a bustling Air Force base -- had a low turnout in the 1972 presidential election, largely because the Air Force families were counted in the turnout numbers even though many of them weren't registered to vote in Merced or California. Instead, they sent absentee ballots to their hometowns across the country. The number of absentee ballots cast from Merced created a low voter turnout, which then subjected the county to extra regulation. There was no appeals process at the time, and the county has had to run each of its election decisions past the feds ever since, said Supervisor Deidre Kelsey. She supports the county's move to seek removal from the provisions.

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ccampbell1946

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progressiveD

The Democrats are shaking in their boots. They just lost control of redistricting their own Congressional districts. OUCH.

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1 message

Yao, Peter <peter.yao@crc.ca.gov>
To: Kermit Torres <Kermit.Torres@crc.ca.gov>

Sat, Apr 23, 2011 at 10:04 PM

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Date: Thu, Feb 17, 2011 at 7:51 AM

Subject: Director's Weekly Note #1

To: Angelo Ancheta <angelo.ancheta@crc.ca.gov>, Andre Parvenu <andre.parvenu@crc.ca.gov>, Gabino Aguirre <gabino.aguirre@crc.ca.gov>, Vincent Barabba <vincent.barabba@crc.ca.gov>, Maria Blanco <maria.blanco@crc.ca.gov>, "Galambos-Malloy, Connie" <connie.galambos-malloy@crc.ca.gov>, Cynthia Dai <cynthia.dai@crc.ca.gov>, Jodie Filkins-Webber <jodie.filkins-webber@crc.ca.gov>, Stanley Forbes <stanley.forbes@crc.ca.gov>, Jeanne Raya <jeanne.raya@crc.ca.gov>, Michael Ward <michael.ward@crc.ca.gov>, Peter Yao <peter.yao@crc.ca.gov>, "DiGuilio, Michelle" <michelle.diguilio@crc.ca.gov>, Libbert Ontai <lilbert.ontai@crc.ca.gov>, "Claypool, Daniel" <daniel.claypool@crc.ca.gov>, Kirk Miller <kirk.miller@crc.ca.gov>, Rob Wilcox <rob.wilcox@crc.ca.gov>, Raul Villanueva <Raul.Villanueva@crc.ca.gov>, Christina Shupe <christina.shupe@crc.ca.gov>, "Sargis, Janeece" <janeece.sargis@crc.ca.gov>

Good morning Commissioners and Staff,

As promised, this is the first of my weekly reports to you regarding staff progress and the issues that we face in completing our current list of tasks.

Since the end of our Claremont session, five days ago, we have been working on the following:

- The Request for Proposals (RFP) for the Line Drawing Consultant and the Voter Rights Act Attorney. We have identified three contracting specialists from the Department of General Services to assist us in completing the contracting for line drawing consultants, the Voter Rights Act attorney and the other contracts that we currently have outstanding. The additional contracts will be mentioned below. We have procured the services of the specialists through a procurement contract and will need to extend their services as Retired Annuitants (RA's) through the period of time that we are contracting for vital services with short time frames such as these. I anticipate that the contracting period will be approximately two months which will constitute one half of a personnel

year to ensure that we remain as closely to schedule as possible. It will be necessary for you to provide me with approval for their services in full session per the requirements of the act if we want them to continue providing their services beyond next weeks meeting.

As I stated twice in our Claremont meeting, the RFP process is typically 6 to 8 weeks or longer. Our primary, proposed contracting specialist, Carol Umfleet, who had worked for the Department of General Services (DGS) for over 20 years before her recent retirement and has specific knowledge in RFPs, state contracting, and use of the master list of contracts known as C-MAS, confirmed my estimate for completing this process. However, Ms Umfleet stated that we could complete the competitive bid with a contract and award for both the line drawing consultant and the VRA attorney if we used a shorter process called an Invitation For Bid (IFB). Under this process, we could receive bids and move to a contract award and execution of the contract by March 28, 2011, if there are no protests. This is extremely fast for state contracting.

To complete the process this quickly, the Commission will need the full cooperation from all the entities in DGS that will need to review and approve the process. This includes the DGS legal and procurement divisions. Even with this cooperation, Ms. Umfleet warned that any protest for any reason can halt the IFB process. Therefore, we are also starting forward with an inter-agency agreement with UC Berkeley that will allow us to fast track a contract with the statewide database and the Berkeley Law School for the same services if the IFB process ends on a protest. Under that inter-agency agreement, we would request that the services for line drawing be completed by staff from Berkeley. Finally, the last contracting approach available to the Commission would be the use of a non-competitive contract (formerly referred to as a sole-source contract) to secure the services of a contractor. The basis of the non-competitive contract would be a lack of time to continue through the protests on the IFB if those protests do, in fact, occur. This non-competitive bid could be used for any contractor including those that provided bids under the IFB process. Regardless of which contracting methodology we use, the earliest that this process can be completed and contractors can be named is March 28, 2011.

While any delay to our process is problematic, the census data will be available at around the same time as the final contract award to the contractors and both contractors will have approximately two weeks from the notification of intent to award the contract to the actual contract

award and execution to prepare to take input. In addition, we should have our outreach/input consultant in place during the entire month and most of our educational outreach meetings completed during the IFB process.

- Consultant Contract for the Center for Collaborative Policy (CCP). Commissioners from the Outreach Advisory Committee and I are attending meetings on Friday to discuss the exact number of Educational Outreach (EO) meetings that the Commission will require and the plans and schedule for future input meetings. (36 input meetings versus 48.) I also met with CCP on Tuesday and yesterday to discuss the contract for the EO meetings planned for next months. In these meetings, I have asked them to provide the costs for two additional meetings beyond the seven that the Commission approved on Friday evening in Claremont. The two additional EO meetings would pull the plan into line with Karin MacDonald's eight suggested meetings and the CCP plan for a ninth meeting above Sacramento, our further point north in any plan suggested. The Commission would have to approve any extension to the original plan and our contract with CCP would have to be amended to include the costs for them.
- Additional Contracts. Additional contracts will be needed with CCP and a variety of other vendors including live-streaming audio and stenography. As noted above, we have identified three contract specialists to complete our current and future contracts with DGS. Initially, these three individuals will work full-time and then will move to part-time as the contracts are placed and work begins. Once the contracts are fully in place, we will terminate their services. All three are Retired Annuitants (RA's).
- Delegated Authority. DGS has placed a person at our disposal to work with us and our contracting specialists to move our contracts through the many divisions of that department. To facilitate greater cooperation, we have also requested a meeting with the Acting Director of DGS to discuss the need to be a top priority in his department. In that conversation, we intend to request a single point of contact from his direct staff to intercede on our behalf if matters become tangled. Our first meeting with the Acting Director for yesterday was canceled. At this time, it has not been rescheduled.

With the above approach in place, I have instructed staff to discontinue our efforts to obtain delegated authority because our efforts were taking too much staff time with too little progress. This will be an item that I will

suggest the Commission take up for revision to the Constitutional requirements after we have completed our work and have time to plan for your successors.

- Legislative Meeting. Kirk and I met with staff from all four legislative caucuses and a member of the Speakers office on Tuesday. They reiterated the legislature's full support for the Commission and confirmed that the funding for the Statewide Database is in place. They also asked us to seek a Commission determination regarding how best to fulfill the requirement to provide "redistricting software" to the public as required by the Act. They stated that the Commission could request funding for the projects that it thought would best fulfill the obligation and have that be part of its budget or it could suggest the projects that it should fund under a line-item in the legislative budget or some combination. We stated that the Outreach and Educational portion of the Commission's plan was under consideration and would be primarily implemented in the month of March.
- Staffing. We continue to search for selected staff beyond contracting for the RA's mentioned above. This includes the budget officer position that remains unfilled at this time. Rob Wilcox, Communications Director, took the lead on determining the availability of the CORO fellows as suggested to us. The Coro Fellow application process for 2011-2012 program is closed. The application period actually begins in September. In addition, they do not have a Fellow program for Sacramento. Given our time frame, no further inquiries were made. Raul Villanueva and Christina Shupe have had discussions with UC Davis and CSU Sacramento for assistance with our web needs. This follows a parallel path to our contracting efforts with DGS. In addition, they have discussed internships with CSU Sacramento and, in a short period of time, have two interested individuals. The earliest availability for student interns is March 28th. Finally, we are reaching out to community groups for volunteers who might be available to augment our staff.
- Secretary of State's Office (SoS). We continue to receive assistance from the SoS but are running into logistical difficulties. We have lost access to our website for posting public comments and commission documents until today because of an election in Southern California. This is our primary concern at this time and will be a point of discussion with the Director of DGS when that discussion occurs. It is imperative that we put our web services in place immediately so that we can take control of this vital function.

- Letter to the Governor. Kirk has prepared a letter to the Governor and it will be forwarded to our Chair for her review and signature today. Our focus is to request a high level contact in the governors office to act on our behalf when state agencies or departments are obstructing our ability to complete essential tasks such as contracting. In addition, we will ask for an exemption from the hiring freeze that was put in place yesterday. As we understand it at this time, the hiring freeze would apply to our current budget officer position and possibly to our temporary RA's.
- Staff Protocols. I have completed the Code of Conduct requirement for our staff and it is being reviewed by our Chief Counsel. Rob Wilcox is working on the Communications Protocol. Once it is completed, they will be added to the procedure statement for hiring and dismissing staff. That will complete the minimum staff requirements in the Act. When time permits, we will complete other sections of a procedures manual to compile the policies and procedures that the Commission has put into place for staff such as the recent procedures for staff/commissioner communications and changes to the Commission's agendas.
- Finally, we have had other meetings of importance to note:

State Chamber of Commerce
Karin MacDonald, Director of the Statewide Database
Bureau of State Audits Legal Staff

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Daniel M. Claypool
Executive Director
Citizens Redistricting Commission
Tel: [REDACTED]