

AGPA01

From: Paul L McKaskle [REDACTED]
Sent: Sunday, December 12, 2010 8:43 AM
To: Voters First Act
Subject: Redistricting Commission

Paul L. McKaskle, Berkeley, California, December 12, 2010

Dear Members of the Redistricting Commission:

I applied to be a member of the Redistricting Commission because I believe establishing a non-partisan Commission system is a much more democratic way to determine the boundaries of the legislative districts of California than leaving it to self-interested persons. If it fails to produce commendable redistricting plans it may lead to efforts to repeal the Commission process and then California would be back to where it was before Proposition 11 was passed.

Since I have been involved in drawing up successful plans, I think my experience would be very helpful in to the process of reaching an efficient and acclaimed conclusion—a set of sensible redistricting plans that receive high public approval. This is by far the most important goal of the Commission. It cannot stumble as it works through the process of developing new districts for California's legislative offices. It is a complex task with a lot to be balanced, including the application of the Voting Rights Act and the need to develop sensible districts honoring county and city boundaries, communities of interest and districts which the voters will accept as fair and the result of a non-partisan process. Having been through the entire process twice, and having had responsibility for public hearings, analysis of the Voting Rights Act requirements, the actual line drawing process and dealing with many people who had interests in the outcome of the redistricting, I have seen many of the pitfalls that could lead the Commission to make mistakes which could have been avoided, and worse, would consume a great deal of the very limited time which is available to complete the redistricting process.

Of course you, the eight initial Commissioners, decide which additional members would be most helpful in reaching this goal—formulating plans which are legally sound and give the public the sense that the Commission has done a good job. I watched the selection process and was pleased that at one point I was tentatively listed on the final six slate. I want to comment on two factors which appear to have led my being dropped from that list.

The foremost factor seemed to be a suggestion that maybe I didn't need to be on the Commission itself because my "expertise" could be obtained by hiring me as "staff" for some unspecified position. You need to know that for several reasons it is very unlikely that I would be interested in a staff position.

The Secretary of State's office has already outlined and posted positions for staff to work for the Commission, including an executive director and counsel. I was the equivalent of the executive director for the two earlier redistrictings and it was a ten to twelve hour day (including most weekends) for almost the entire period of the redistricting process. I understand that the day to day work of the staff will be carried out in Sacramento. I still have enough energy to work ten or twelve hours a day even for

an extended period of time. But, I'm not at all sure that at this stage in my life I want to leave my family for almost eight months to move to Sacramento for a position that includes many other duties which do not directly draw on my prior experience with redistricting, e.g., supervising staff, supervising the setting up meetings to make sure that all of the technical requirements have been met, dealing with the press, tending to the needs and requests of fourteen Commissioners, making sure the computing systems are functioning in a way most useful to the Commission, all of which make the job very time consuming. As to the position of counsel, I can re-activate my law license on one days notice, but I think the basic outlines of the relevant law are quite clear, and thus counsel as such will play a fairly limited role in the work of the Commission and won't be directly involved in making sure the process is working efficiently—very critical given the short time which is available. Also, I suspect much of the counsel's job will be advising on the open meetings requirements about which I have no expertise.

As a Commission member I would expect to spend a very substantial amount of time on the redistricting. Indeed, as one of the few potential members who is fully retired I am in a position to devote a great deal of time, probably a lot more than some other members who also have to earn a living. But time spent as a Commissioner would be much different from time spent as a staffer. Of course there would be public hearings which take a lot of time. Indeed I think there should be lots of them. Public hearings, however, would be episodic, probably one set in February and March and then another set in late Spring and early Summer after the census results are available and actual line drawing has reached a concrete stage. But that is far different from spending eight months living in Sacramento. Further, some of the work of the Commissioners can be done where they reside. Each of the fourteen Commissioners will call on the executive director for many things. This is appropriate, indeed necessary, but it is time consuming for the director and not always directly related to the redistricting process. The Commissioners have to interact with each other, but that is much different than answering to fourteen decision-makers, which the executive director will have to do.

In short, IF some of you have decided that I should not be one of the final six chosen because you assume the Commission can obtain my services otherwise, please do NOT count on it. I'm not saying that there are no conceivable circumstances which would induce me to take a staffing position. As I have already said, I am not interested in the executive director or counsel positions as they are presently designed. Since the full Commission won't meet until January, there would precious little time for the fourteen Commissioners to re-design the staffing process which is already under way to create another position utilizing my skills even if they wanted to (and even if time limits in rules governing hiring were not an obstacle).

As to the other factor which I perceived played a role in the Commission's final decision – residence – I don't live in the Central Valley, but I do have extensive connections elsewhere in the state. I lived three years (and graduated from high school) in Sacramento. I also practiced law in Southern California for eight years—in Ventura and Los Angeles. My work in Los Angeles as Director of Litigation for the Western Center on Law and Poverty involved poor minority clients who had many problems related to where they lived, and I spent lots of time places like Watts and East Los Angeles working with my clients. My son lives in Humboldt County and a cousin with whom I am close lives in Shasta County—both of which are in the otherwise unrepresented Northern part of the State. I have close relatives and a number of very good friends in Santa Barbara, Ventura and Los Angeles Counties and I visit them quite often now that I am retired.

One other point that I need to make relates to a comment made by a member of the public at the end of the meeting on the 10th—I don't remember his exact words but the gist was that because of my previous experience, if I were chosen I would "dominate" the rest of the Commissioners and take over the process. In my interview I made it clear that my intention was very much to the contrary, I wanted to be

only one of fourteen Commission members. Each member has been chosen through a rigorous selection process to constitute a diverse body of citizens to draw fair redistricting plans by consensus. I believe in this deliberative process, thus I believe very strongly that each of the fourteen Commissioners should play an equal part in it. If I am chosen as a member, I would do my best to make sure it is a genuine deliberative process. As I've already said, I think the most important goal of the Commission is to enact a good set of districts through a process that appears fair to the public. That would be dis-served if I somehow tried to dominate the proceedings. I have more confidence in the ability of the Commission members to think and act independently than, apparently, does the commenting member of the public.

It is, of course, up to you to balance the various factors which you are required to consider in picking the final six members. I write to make sure that you are aware that some of the assumptions which may have had an effect on my candidacy are not accurate. Regardless of the outcome of this selection process, I hope the Commission will be a resounding success.