

March 8, 2011

Via Electronic Mail
Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814

RE: Redistricting Mapping and Hearing Timeline

Dear Honorable Commissioners:

We are writing to you about the Citizens Redistricting Commission (Commission)'s mapping and public hearing timeline on behalf of the following organizations: The Advancement Project, African American Redistricting Collaborative, Asian Pacific American Legal Center (APALC), California Common Cause, California Forward, California League of Conservation Voters, California State National Association for the Advancement of Colored People (NAACP), Central Coast Alliance United for a Sustainable Economy (CAUSE), The Greenlining Institute, League of Women Voters of California, and Mexican American Legal Defense and Educational Fund (MALDEF).

We understand that the Commission has been presented with and is considering a mapping and hearing timeline in which the Commission would release its first set of draft maps in late May. Our organizations oppose this timeline and urge the Commission to adopt a timeline in which it releases draft maps in June so that members of the public have sufficient opportunity to submit pre-draft input, including mapping proposals.

We share the Commission's goal of promoting widespread and informed public input into the redistricting process. We believe this goal is best achieved through a June release, which provides the public with a longer pre-draft window for input than a late May release. A late May release poses a particular threat to the ability of members of the public to submit mapping proposals in time for the Commission to properly consider them. Although not all of our organizations plan to submit mapping proposals to the Commission, we speak with one voice in urging the Commission to give both organizations and individuals enough time to do so.

We recommend that the Commission specify a deadline of May 31 for members of the public to submit proposals to the Commission, and a release date of June 10 for the Commission's first draft map. We make the following points in support of our recommendation:

1. Mapping proposals are an important component of public redistricting input.

Input about communities of interest (COI) and neighborhoods is of course vital. Indeed all of our organizations are working to ensure that members of the public are encouraged and equipped to provide the Commission with information about their communities. However, mapping proposals are also important because they provide context for COI input. While COI input informs the Commission about populations often too small to constitute an entire district, mapping proposals provide the Commission with community input on how these populations

should be drawn together with other populations to satisfy the equal population requirement. Even more importantly, mapping proposals can illustrate for the Commission how districts may need to be drawn to satisfy the requirements of the federal Voting Rights Act (VRA).

2. The release of the Commission's first draft map represents a commitment to a particular mapping path from which significant deviations will be difficult to make. Because of this, the Commission can best provide an effective opportunity for input and ensure an efficient post-draft process by giving the public enough time to be heard on the front end, prior to the release of the Commission's draft.

Because of the equal population requirement, changes to one district will necessitate changes in surrounding districts, in turn requiring changes in other districts and creating a ripple effect throughout the state. More significant changes will cause a correspondingly larger ripple effect and will be more time-consuming for the Commission to make, as it will need to revisit and potentially rethink its past decisions on how to incorporate public input and comply with the criteria set forth in the Voters First Act.

This means that if a member of the public is unable to submit input or a proposal to the Commission prior to the Commission's draft map being released, that organization or individual has lost the chance to have the Commission consider its input when the Commission is best able to do so, i.e. during the pre-draft period. Even where the Commission wants to accommodate post-draft input that conflicts with the direction previously taken in its draft map, it must be willing to deal with potentially significant disruption to the rest of its map.

Compared to a late May release, a June release maximizes the amount of time that the public has to submit effective input. A June release also better assures the Commission that it has considered all relevant input prior to releasing its first draft map and helps minimize the number of post-draft changes the Commission potentially needs to make, resulting in a more efficient process.

3. Members of the public will need additional time beyond late May to complete mapping proposals.

As described to the Commission at its February 26 hearing, our organizations are carrying out thorough and comprehensive efforts to educate constituents about redistricting, collect input about their communities, and help them voice their interests to the Commission. Collectively we are conducting scores of meetings up and down the state, and many of our organizations are focused on increasing participation among communities that have historically been under-engaged in redistricting. This process of meeting with community members must allow for sufficient time to conduct outreach, and because of this, several of our organizations are conducting meetings through May. Those of our organizations submitting proposals need additional time to construct districts that incorporate the community input gathered through this process as well as vet those districts with other redistricting stakeholders.

Individuals submitting proposals will also need additional time beyond late May to submit their maps. Most individuals lack direct access to the most commonly used redistricting software programs and also lack significant experience and expertise in preparing mapping proposals. These individuals will need to travel to public assistance sites to use redistricting software and obtain training. Even those individuals who use publicly available online mapping platforms will need time to undergo education about key redistricting concepts.

4. Even with a June release of its first draft map, the Commission would still be able to release a second draft map for public comment while meeting the August 15 deadline set forth in the Voters First Act.

We understand that the Commission wants to provide adequate opportunities for post-draft input by conducting multiple rounds of hearings on two or even three draft maps and we support this goal. As several of our organizations pointed out at the Commission's February 26 hearing, the Commission could still obtain two rounds of feedback even with a June release. In other words, even with a June release, the Commission can release two draft maps and hold two sets of hearings on those drafts, which we believe provides the public with ample opportunity to provide post-draft input. Some of our organizations provided you with a proposed calendar at the February 26 hearing that illustrates this.

A final comment regarding the display of district maps at pre-draft hearings: We understand that some members of the Commission have expressed support for the idea of displaying maps at pre-draft hearings as a means of guiding input provided by community members. While we have no objection to the Commission displaying maps of population or socioeconomic characteristics, if done carefully, we urge the Commission to consider the unintended consequences of displaying maps of potential new districts, or maps of current or past districts, at pre-draft hearings.

Displaying maps of potential new districts at pre-draft hearings, even if only for the purpose of stimulating input, creates the risk of stifling input from community members who may have different perspectives on how new districts should be drawn. This is particularly true among communities with distrust or fear of government, such as communities with predominantly refugee backgrounds. Displaying current or past districts at pre-draft hearings may similarly stifle community input, or in the alternative, bias the input that community members do provide. Many community members, even if told that current or past districts are displayed only for reference, will take those districts as the starting point from which new districts should be drawn.

Thank you for the opportunity to provide our comments.

Sincerely,

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