

March 15, 2011

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

RE: Top Four Recommendations for Transparency and Public Input

Dear Members of the Citizens Redistricting Commission:

On behalf of the following organizations, we write to you to provide the Citizens Redistricting Commission (Commission) with our recommendations for strengthening transparency and public input in the redistricting process: The Advancement Project, African American Redistricting Collaborative (AARC), Asian Pacific American Legal Center (APALC), California Common Cause, California Forward, 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, Mexican American Legal Defense and Educational Fund (MALDEF), and National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund. A question posed to one of us at your February 26 meeting engendered this joint response.

We share your goal of carrying out a redistricting process that is fair and open to scrutiny by the public and the press and that invites and enables participation by the public. We believe the Commission can best achieve this goal by implementing the following four recommendations:

1. **As the public's main access point to the Commission, the Commission's Web site should be updated frequently enough and with enough information so that the public can follow the Commission's activities.**

The Commission's Web site should be enhanced and updated so that all your deliberations are clear and accessible to the public. We recognize that you have taken significant steps toward that goal in the face of serious logistical difficulties and hope to see even more progress in the future.

Post timed agendas for all Commission meetings in advance, and try to adhere to that timing as much as possible; update the agenda on a daily basis when meetings stretch over several days. We applaud the chair's oral announcements during the February 23-26 meeting that provided specific information about the details of the posted agenda and notified the public when adjustments were made. We are pleased to see that a timed agenda has been posted for the meeting that will begin on March 17, and we urge you to announce and post adjustments at the end of each meeting day. Californians who wish to attend Commission meetings or monitor the activities of the Commission need that information before the day of a meeting in order to adjust their schedules as needed.

Post all handouts, PowerPoint presentations, and other materials provided by staff or submitted by the public before the meeting begins or as soon thereafter as possible. We recognize that this

is a challenge, but the Commission's deliberations cannot be considered fully transparent when the public is not able to follow along as commission members work through material that is presented to them. It is helpful when the chair or the presenter makes an effort to state or summarize the content of material that has not yet been posted.

Post records of each day of a meeting as soon as possible. In addition to live-streaming of meetings on the Internet, posting a written summary the evening of each meeting day is important. We appreciate the distribution of daily meeting summaries by press release to the Commission's email list, but we also suggest that those summaries be posted on the Web site. It is our understanding that you also intend to post the video within a day and the transcript five to seven days later. Although that is a rather ambitious plan, we believe it is a significant way to permit observers to understand what the Commission is doing whenever it meets. If possible, the videos should be made available in downloadable format, and it would be helpful to insert bookmarks for agenda items.

Recognizing how important it is to post all kinds of information as quickly as possible, we urge you to continue providing material to the Redistricting California Alliance for posting on www.RedistrictingCA.org, especially while the www.wedrawthelines.ca.gov Web site is evolving.

2. The Commission should provide all Californians, including those in more populous regions, with an equal opportunity to have their voices heard at the Commission's hearings.

The Commission should conduct multiple input meetings in California's more populous regions, such as Los Angeles, San Diego and San Jose. This will ensure that all California residents have the same opportunity to share their perspective with the Commission. As the Commission continues to develop its plan for outreach to the community, it must consider whether the geographic distribution of meetings reasonably represents California's population distribution. In order to effectively achieve this, we believe that it is appropriate for the Commission to hold multiple meetings in those regions where the state's population is concentrated. According to 2010 U.S. Census data, nearly 40 percent of California's population resides in Los Angeles County, San Diego County and Santa Clara County. We recommend that during each cycle of public input, the Commission hold at a minimum two hearings in each of these regions, including at least one hearing in the most populous cities in these regions (i.e. Los Angeles, San Diego and San Jose).

The Commission should avoid holding concurrent hearings. The Commission should strive for robust attendance at its hearings so that members of the public should have an opportunity for their voices to be heard directly by as many Commissioners as possible. If the Commission were to hold concurrent hearings on some days while holding a single hearing on other days, members of the public attending concurrent hearings would have less of an opportunity to have their input heard compared those attending non-concurrent hearings.

3. The Commission should ensure that the public has sufficient opportunities to provide input during the course of its meetings.

The Commission should provide multiple methods for people to provide input to the Commission, particularly if they are not able to attend in person. During the public input hearings period, individuals and groups may wish to submit written testimony or maps. The Commission should set up and publicize multiple methods to receive this type of input, including by mail and electronically.

Prior to any vote on a significant decision, the Commission should provide time for real-time public input, not only from persons present at the meetings, but also people who may be watching the livestream from other locations. One method would be to pause for a period of time, such as 24 hours, after the Commission discusses the issue but before it takes a vote, to receive public input electronically. The public input should then be provided to the Commission before the vote, either in hard copy, or at least orally read by staff to the Commissioners. An example of a significant decision would be the criteria and method of hiring staff and consultants.

4. To ensure broad public participation in the redistricting process, the Commission's hiring process should prioritize the employment of staff and consultants who have previously demonstrated a commitment to upholding the core values of the Voters First Act and who will promote public trust in the Commission's work.

When hiring staff and consultants, the Commission should scrutinize the disclosures that applicants are required to make pursuant to the Commission's Conflicts Policy and bid invitations for consistency with the core values of the Voters First Act. The Conflicts Policy adopted on February 24 requires that applicants for staff and consulting positions with the Commission provide full disclosure of prior employment or consulting work as part of the hiring process. The bid invitations for the mapping consultant and Voting Rights Act (VRA) counsel also require disclosures of past work. The commission should review these disclosures for whether applicants' past work reflects the core values of Proposition 11, of which compliance with the VRA, as well as public trust in the Commission's process, is paramount. The VRA protects the ability of underrepresented communities to have equal opportunities to participate in the electoral process, including the opportunity to elect candidates of their choice. Anyone whose work has focused on undermining the creation or maintenance of these opportunities should be considered unqualified for Commission employment, especially as mapping consultant or VRA counsel. The Commission's hiring of staff and consultants who have a demonstrated commitment to ensuring that California's underrepresented communities have an equal opportunity to participate in the electoral process will help build trust among California's diverse population. This in turn is a key step toward achieving broad public participation in the redistricting process. It will also help build public trust if the Commission ensures that its staff and consultants have the ability to be impartial, and the Commission should review the disclosures with this in mind as well.

Thank you for the opportunity to provide these suggestions.

Sincerely,

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