

From: [REDACTED]
Date: Fri, Mar 18, 2011 at 12:56 PM
Subject: Concerns re: Rose Institute proposal
To: votersfirstact@crc.ca.gov

Dear Commissioners,

As a citizen concerned about the fairness of our state redistricting process, I am troubled by the lack of transparency in the Rose Institutes proposal to provide technical consulting services to the Commission. In my view, the proposal should be disqualified as unresponsive, because it fails entirely to provide any information about the Rose Institute's funding sources or past work for groups with partisan interests. In addition, I believe that there is a conflict of interest apparent on the face of the bid itself.

First, the bid refuses to provide information about the Rose Institute's funding sources, saying:

We receive literally thousands of donations totaling millions of dollars every year. Providing a full list of donors over the last 10 years would take much longer than the time provided to complete this proposal that would require review by the College's legal and development offices. The Institute's operations are funded from the Institute's share of the College endowment; by contracted research projects (primarily for local governments); and, to a small extent, by donations from the Institute's Board of Governors, alumni, and other small individual or organizational donors. None of these funding sources represent any conflict with the Institute's proposed work for the Commission.

The bid flatly claims that none of the Institute's funding sources represent any conflict, but it provides no information to substantiate that nor does it even define what it thinks might be a conflict. The Institute is effectively saying to the Commission, "Trust us." Indeed, if the Rose Institute says they do not have time to review all their donors, how can they know that none of them represent a conflict? This is contrary to the Commission's commitment to transparency, and neither the Commission nor the public will be well-served if the Commission's linedrawers are not willing to reveal their

sources of funding.

Second, the bid similarly refuses to provide information about the Rose Institute's work for other entities, saying:

The Institute has no partisan connections or political advocacy roles that present a conflict for our proposed work for the Commission.

Again, the Rose Institute is saying, "Trust us." Further, the standard they claim to meet is neither the standard required by the bid nor the standard inherent to the Voters First Act. By asking for the political ties of entities the applicant has done work for, the Commission was seeking data not only on actual conflicts of interest but also perceived conflicts of interest. By refusing to provide this information, Rose is saying their judgment should supersede that of the Commission.

These refusals are particularly troubling because during the question and answer period the Rose Institute asked about both of these provisions and were directed that the information was required. In the Commission's Questions and Answers dated March 11th question 7 asked:

Attachment 4, Question 2 requests the entire history of donors to Claremont McKenna College for the last 10 years (and, if the Redistricting Group at Berkeley applies, of all donors to UC Berkeley). Can you eliminate this question? Clearly this information cannot be compiled in the time available to prepare the proposal.

The Commission clearly responded that disclosure was required, saying, "The question does not seek a list of all donors to Claremont McKenna College. The question seeks disclosure of information regarding contributions made to the contracting entity." The Rose Institute knew that they had to disclose all of its donors, but not all those of the College, and has refused to provide either.

Further, question 8 asked:

Attachment 4, Question 3, requests bidders to disclose any work done for any entity "that has supported, donated money to, raised money for a candidate for public office, taken a position on a ballot initiative or sought to influence the redistricting process": if I am reading this section correctly, how are bidders supposed to know this information about every entity bidders have performed any work for in the last 10 years, especially given the extremely limited time frame available for the preparation of bids?

Again the Commission was clear responding, "Bidders must disclose prior/current work performed for groups and entities as defined above." The Rose Institute cannot claim ignorance as to the deficiency of their application.

Commissioners know that Proposition 11 sets a high standard for impartiality. And they know that meeting that standard often requires very lengthy, detailed and time consuming disclosures. The supplemental application process every member of the Commission completed no doubt took each of you days to complete. That the Rose Institute has said they are not willing to make a similar investment to ensure the public trust is kept should disqualify them from participation.

Finally, one piece of work the bid makes clear the Institute did was helping draft Propositions 11 and 20. Given this involvement, there is a very real danger that the public will view the Institute as having written these measures with an eye toward obtaining lucrative redistricting work for itself and its employees, a clear conflict of interest. Indeed, Proposition 11 seems designed to disqualify almost everyone who has ever been involved with redistricting in California. It is no wonder that the RFB produced only two bidders, one of whom is the Rose Institute itself.

I urge you to disqualify the Rose Institute's bid as nonresponsive as it has failed to show that its clients and its donors do not represent a conflict of interest.

Wishing you all the best,

Bill Rawlings
Resident of Diamond Bar, CA

Sent from my Verizon Wireless BlackBerry