

Molly Casey

From: "Paul Mitchell" <[REDACTED]>
To: <[REDACTED]> "Office, Communications" <[REDACTED]>
Sent: Friday, July 08, 2011 6:42 PM
Subject: Equivalency File discussion

If the commission gave out equivalency files we would get those maps – full PDFs with more information than the commission provides - and have them up same-day, usually within a few hours. = And our site maps have received over 100,000 views, so the public is receiving them.

Right now we are recreating the maps ourselves and it takes forever. And we are the only site creating maps from the visualization=. When the rose institute posted visualizations it was from our equivalency files.

Paul Mitchell

Redistricting Partners
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Molly Casey

From: "James Wright" <[REDACTED]>
To: <[REDACTED]>
Sent: Friday, July 08, 2011 8:19 PM
Subject: PUBLIC COMMENT -- 14 day review
Commissioners,

I've been trying to find a reference to a 14-day post-decision review requirement and have failed. It is not in the language of either propositions 11 or 20. It is not in the regulations for forming the Commission. Bagley-Keene has a 14-day notice requirement for meetings with some exceptions, but does not seem to require a post-decision comment period of any kind.

Therefore, the Commission should review and relax their stated schedule to permit ample time for producing the BEST MAPS POSSIBLE.

Specifically, a final vote can be delayed into August as long as formal agreement happens prior to August 15.

Since no revisions will happen after the final decision, **14 days of post-decision review in your schedule serves no purpose.**

And, yes, publication of a 2nd draft is very necessary.

There should be a period of 14 days of public review allowed following release of the 2nd draft maps and prior to the final tweak and your deliberations to reach a final decision ... because that is really the 14-day notice period for your review and decision meetings. Also, please take your time in reviewing each of the 177 districts in marching to decision. Those presentations and your discussion will help to form the basis for your published narrative and report. The rush-to-decision for the 1st draft maps was very unsettling and cannot occur for the final ones.

As far as the DOJ review is concerned, give them the 2nd draft maps because any changes that are needed beyond that point will necessarily be very minor from all sources (including any recommended by DOJ).

Jim Wright
a voter from San Jose

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Molly Casey

From: "david salaverry" <[REDACTED]>
To: <[REDACTED]>
Sent: Friday, July 08, 2011 11:45 AM
Attach: Memo to Commission, re timely videos and transcripts.pdf
Subject: Memo to Commission, re timely videos and transcripts
Please see attached.

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David Salaverry

[REDACTED]
CCAG, California Conservative Action Group
www.fairthelines.org

California Conservative Action Group



MEMO

To: Citizens Redistricting Commission
From: David Salaverry, CCAG
RE: Transcripts and Videos
Date: July 8, 2011

Timely video posting and timely transcripts of the hearings have been a consistent problem. As of today, the most recent video posted is from July 3, five days behind. The most recent transcript posted is from June 29, nine days behind.

The timeline is now very compressed. It is especially important in the final weeks of the commission decision making process that videos be posted the day after the hearing. There is no reason that this cannot be accomplished. The timely posting of transcripts is also critical in the final weeks; an eight day lag is not acceptable.

Lacking timely videos and transcripts, the citizens of California who do not have armies of lawyers and paid staff to watch the hearings cannot adequately stay abreast of the decisions that will affect them. This again disenfranchises them from the process and give an unfair advantage to the institutions that are so embedded in the process.

Regards,



David Salaverry

CCAG, California Conservative Action Group
www.fairthelines.org

Molly Casey

From: "Mark Standriff" <[REDACTED]>
Cc: [REDACTED]

Sent: Friday, July 08, 2011 12:32 PM
Attach: Ltr to CRC re Pop Devc.pdf; ATT00001.htm; CRP 12 inch.jpg; ATT00002.htm
Subject: Letter from CRP Chairman Tom Del Beccaro

Dear Commissioners:

On behalf of the Chairman of the California Republican Party, Tom Del Bec=aro, please accept the attached letter for your consideration.

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July 8, 2011

BY EMAIL: [REDACTED]

Honorable Commissioners
California Redistricting Commission
[REDACTED]
Sacramento, CA 95814

Dear Commissioners:

The California Republican Party has commented to the Commission on several occasions its concerns about the Commission's compliance with Propositions 11/20's mandates, compliance with the Bagley-Keene Open Meetings Act and conflicts of interest involving proposed consultant Professor Michael D. McDonald and Professor Matt Barreto. This comment concerns the Commission's adoption of the third different standard for drawing state legislative districts of reasonably equal population.

The Commission has now taken its third position on what standards to apply to drawing state legislative and Board of Equalization districts. The Commission first directed its line-drawing consultant to use a five percent (5%) maximum deviation standard to draw lines for its first plans that were to be made public on June 10, 2011. The Commission later modified that standard to use a maximum 1% deviation standard with up to 2% if necessary to satisfy other redistricting criteria, in particular section 5 o of the Voting Rights Act. On July 2, 2011, the Commission again modified that standard effectively to a 2% maximum deviation standard (+1.0 - -1.0). The Commission's determination was unclear about whether this meant up to 2% (or 4% maximum deviation) if necessary to satisfy other redistricting criteria. The first and the last of the three decisions at a minimum appear to be inconsistent with the written guidance provided by Gibson, Dunn & Crutcher, LLP, your Voting Rights Act counsel, and the verbal guidance provided by your legal counsel Kirk Miller.

The current and proposed standards discriminate against and disenfranchise voters. In the June 10, 2011 plans, as one commenter has noted, "[t]he Senate plan's maximum deviation is 4.5% (-2.2% - +2.3%) and 14 districts currently exceed the maximum deviation of 1%. The Assembly's maximum deviation is 5.3% (-2.8 - +2.5) and 27 districts currently exceed the 1% maximum deviation." If the Commission uses a 2% maximum deviation standard (+ 1.0% - - 1.0%), this means that the largest Senate district would have 18,627 more persons than the

smallest Senate district, and the largest Assembly district would have 9,313 more persons than the smallest Assembly district. This maximum deviation between Senate districts is larger than the size of the Senate districts of at least five States (New Hampshire, Vermont, North Dakota, Main and Wyoming). The maximum deviation between Assembly districts is larger than the size of lower House districts in these States and Montana, based upon 2008 data!

The California Supreme Court has held that a maximum of 1% deviation from ideal population was permissible, noting that this number, well below federal constitutional standards, was appropriate because of the large size of California's legislative districts. (*Legislature v Reinecke*, 10 Cal.3d 396 ("Reinecke"); *Wilson v. Eu* (1992) 1 Cal.4th 707, 753 ("Wilson"); See also, Cal. Const., Article XXI, section 2(d)(1) and 64 Ops.Cal.Atty Gen. 597, 613-615.)

The Supreme Court's conclusion that smaller percentage deviation is appropriate because of the large size of California's legislative districts is amply demonstrated by the above data and the fact that the California State Assembly's average population of 465, 674 persons is nearly 10 times as large as the median lower House seat population of the all fifty States, and nearly 2.8 times as large as the lower House of the next largest State, Texas.

We note that the absolute deviation between the largest and the smallest Senate and Assembly districts in the 2001 redistricting was almost zero, well below 0.1% maximum deviation.

The Commission's vacillation on this issue leads to the conclusion that it is not taking the reasonably equal population mandates of the Supreme Court and California's voters seriously, and draws into question whether the lines it will eventually draw will satisfy constitutional mandates. The Commission should hew to the Supreme Court's standards and guidance to avoid discrimination and disenfranchisement of California voters.

Very truly yours,

A handwritten signature in black ink that reads "Tom Del Beccaro". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

Tom Del Beccaro
Chairman
California Republican Party