

COMMENTS RE COMMUNITIES OF INTEREST AND NEIGHBORHOODS

Commissioners:

I am writing to recommend additional milestones and tasks for the Commission to calendar over the next several months. As discussed below, I suggest that the CRC incorporate specific items into its work plan and its Gantt chart that deal with communities of interest (COIs) and neighborhoods, in order to add greater precision to the Commission's line drawing and to provide more information on your decision making to the public. These items include: (1) gathering non-testimonial data on COIs and neighborhoods, and (2) setting milestones for the cataloging, mapping, and public review of COIs and neighborhoods.

As you know, the 2010 CRC devoted considerable time and resources to gathering public comments on COIs and neighborhoods. These efforts produced a large volume of information -- much of it highly valuable -- that was incorporated into the CRC's line drawing. As you move forward with gathering testimony, you will likely encounter many of the same challenges, including deciding how to clarify (or narrow) the COI criterion to make testimony more usable; how to weight testimony (including how to address high-volume commentary generated by mobilized individuals); how to reconcile inconsistent or conflicting testimony; and how to balance security interests and ensuring the genuineness of information with maintaining an open and transparent process.

At the same time, the CRC should be mindful of several shortcomings in the 2011 redistricting that could be avoided in the upcoming cycle. For example, despite traveling to many parts of the state for public hearings, the 2010 CRC's collection of testimony still had significant gaps (e.g., limited testimony from low-population-density areas in several regions and from particular racial/ethnic communities such as Native Americans). Because you have greater responsibility over public outreach and education in this cycle, some of these potential gaps can be addressed early on.

In addition, the 2010 CRC's allocation of time and resources to gather testimony was seriously imbalanced relative to (1) its compiling of *non*-testimonial information and (2) its analysis and conversion of COI/neighborhood testimony for actual line drawing. With this imbalance, the line-drawing process became highly rushed, and the public's ability to comment on CRC decisions was compromised because the CRC did not clearly map the COIs and neighborhoods whose geographic integrity the commissioners sought to maintain. COI and neighborhood testimony was ultimately incorporated as the districts were drawn, but the boundaries of many COIs and neighborhoods were often elusive or opaque.

Non-Testimonial COI and Neighborhood Data. Although redistricting professionals and academics may disagree on the relative value of testimonial vs. non-testimonial data, almost all would agree that redistricting should incorporate multiple sources of information. Due to the compressed timelines in 2011 and the priorities set on individual testimony, the 2010 CRC relied almost entirely on public comments on COIs and neighborhoods, and incorporated only limited data on official neighborhood boundaries drawn from local governmental sources. It is clear that the Voters FIRST Act contemplates a broader approach.

The law itself identifies several examples of COIs, including "those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process." While testimony can provide insights into these types of COIs, other sources of information -- such as topographic, demographic, economic, and market data -- should be highly relevant in helping identify common interests and in setting boundaries on those communities. Non-testimonial data can also be useful in filling in gaps in testimony, as well as in helping to reconcile inconsistent or conflicting testimony.

I recommend that the CRC incorporate a process into its calendar to gather this type of information to supplement public testimony, to develop standards and guidelines for its use, and to allocate staff or consultant time that would be specific to the relevant tasks.

Cataloging and Mapping COIs and Neighborhoods. By opening up the redistricting process to extensive public participation, the 2010 CRC's information gathering was unprecedented, resulting in tens of thousands of data points. However, the CRC was not prepared for such a high volume of testimony, and it did not develop clear strategies for processing the data and translating it into usable geographic information.

Public comments were ultimately coded and compiled in tabular form by the CRC's consultant (see Q2 handouts from the July 2011 meetings) and made available as PDF files to the general public. However, systematic analysis by the full Commission was lacking, and boundaries for COIs and neighborhoods were not deployed until the *district*-drawing process was in motion. And, while many of the CRC decisions on COIs and neighborhoods were consensus-based, decisions were not always clearly justified and many lacked an expression of CRC priorities when (1) reconciling overlapping or conflicting COIs and neighborhoods and (2) reconciling COIs/neighborhoods with other Level 4 criteria (i.e., city and county boundaries).

While tradeoffs and hard choices are inevitable in redistricting, the current CRC can make its mapping more systematic and transparent by creating a process that better balances information *gathering* against information *analysis* and *translation* into geographic information. To those ends, I recommend that the CRC consider calendaring targeted discussions of its timelines for public hearings and written comments in tandem with its timelines and allocations of staff/consultant time for processing data into GIS-ready forms.

I would further recommend that the CRC consider specific goals of producing searchable databases of COIs/neighborhoods and drafting sets of provisional maps -- treating COIs/neighborhoods as one set of building blocks -- that capture the CRC's analyses of testimonial and non-testimonial data. These databases and maps could then be made available to the public, along with other building-block maps such as VRA-compliant districts and city/county boundaries, for comment *prior to* district-drawing sessions. Provisional maps of COIs/neighborhoods could then be subject to revision to incorporate additional public comments.

To accommodate the broad range of public testimony, maps of COIs and neighborhoods would not necessarily have to have precise boundaries. If the CRC chooses to keep COIs and neighborhoods more fluid because of variations in testimony, then staff or consultants could employ GIS geoprocessing tools, such as cluster analysis or heat mapping, to reflect multiple perspectives on boundaries, but still provide enough guidance for the CRC to articulate its options and choices once district-drawing sessions begin.

In any case, by developing guidelines, priorities, and boundaries for COIs and neighborhoods in advance of district mapping, the CRC can avoid the cherry-picking of testimony during line drawing, and the public can provide meaningful feedback at more than one stage: a building-block stage and a district-level stage.

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These recommendations pose additional goals and tasks that would affect staff time, consultant time, or both. Since the CRC is still engaging in discussions around the RFP for its line-drawing consultant(s), as well as long- and short-term staffing, I do not express preferences on the appropriate mix of staff time vs. consultant time. However, I do suggest that the CRC retain only one line-drawing consultant for overall data gathering and mapping, though not all tasks need to be listed in the RFP or ultimately vested in the consulting firm.

Because the Statewide Database's online COI tool is still in a testing and evaluation phase, I am not offering any opinions on the use of the tool, other than stressing that the CRC should be open to receiving all forms of public comment: oral or written, visual or narrative, hand-drawn or GIS-ready.

As always, I am happy to provide additional information or insights from the 2011 redistricting at your request. Thank you for considering these comments.

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