

- Been a political candidate for state or federal office.
- Been a lobbyist.
- Contributed \$2,000 or more in any year to a political candidate.

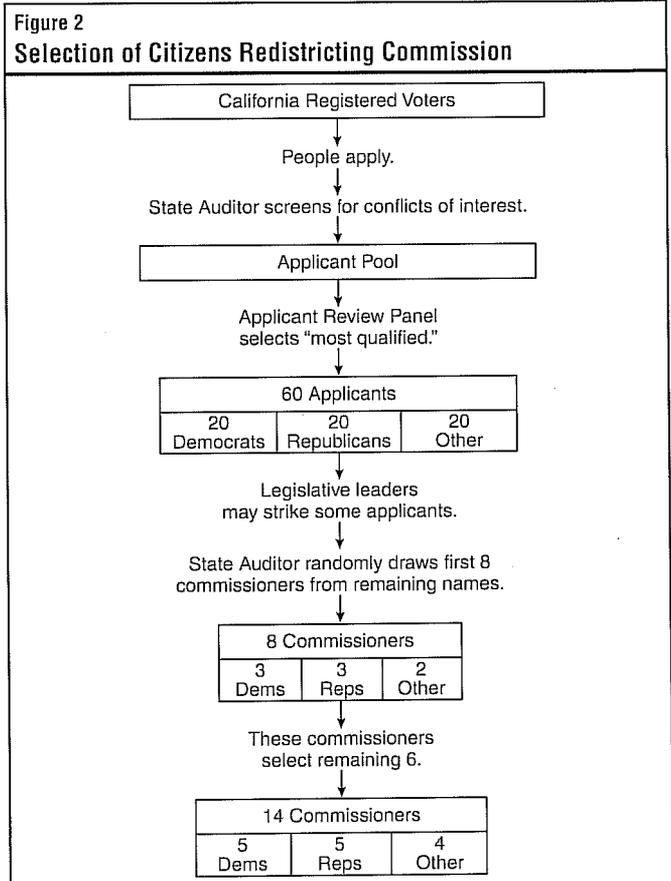
In addition, applicants could not have changed their political party affiliation in the past five years. Applicants also must have voted in at least two of the last three general elections.

An Applicant Review Panel, comprised of three auditors employed by the state, would narrow the applicants down to 60. The panel would pick the most qualified applicants based on analytic skill, impartiality, and appreciation of California’s diversity. The leaders of the Legislature could strike up to 24 of these names. From the remaining names, the State Auditor would then randomly draw the first eight commissioners. These eight commissioners would select the final six commissioners. The commission would have five members registered with each of the state’s two largest political parties (Democrat and Republican) and four members registered with other parties or as independent voters.

Requirements of District Boundaries. The measure adds new requirements regarding the drawing of district boundaries by the commission for legislative and BOE districts. These requirements are similar to the measure’s new requirements for U.S. House of Representatives districts, as shown in Figure 1. For legislative and BOE districts, the measure also forbids the commission from drawing districts for the purpose of favoring or discriminating against political incumbents, candidates, or parties.

Approval Process. In developing a plan, the commission would have to hold public hearings and accept public comment. To approve a redistricting plan, the commission would need at least nine yes votes, including at least three yes votes each from members registered with the two largest political parties and three yes votes from the other members. Once the commission approved a redistricting plan, it would be used for the next decade. The process would be repeated every ten years, with a new 14-member commission for each future redistricting.

Funding. Commission members would receive \$300 per day, plus reimbursed expenses, in return for their work on the commission. The measure specifies that the Governor and Legislature must make funding available in the state budget to support the selection of the commission, its work, and related costs. Funding would be established at the greater of \$3 million or the amount spent in the previous redistricting cycle,



adjusted for inflation. (The Legislature spent about \$3 million in 2001 from its own budget, which is limited under the California Constitution, to adjust boundaries for all districts.) These funds could be used to establish the application review process, communicate with the public, compensate commissioners, and employ legal and other experts in the field of redistricting.

FISCAL EFFECTS

Under this measure, the Legislature would continue to incur expenses to perform redistricting for U.S. House of Representatives districts. In addition, this measure authorizes funding (outside of the Legislature’s budget) for redistricting efforts related to legislative and BOE districts to be performed by the citizens commission. We estimate that the minimum amount required for 2010 would be about \$4 million (the 2001 amount spent on redistricting adjusted for estimated inflation through 2010). Having two entities—the Legislature and the commission—perform redistricting could tend to increase overall redistricting expenditures. Any increase in such redistricting costs, however, probably would not be significant.

★ ARGUMENT IN FAVOR OF PROPOSITION 11 ★

THE POLITICIANS WANT TO CONFUSE VOTERS, BUT THE CHOICE IS SIMPLE: Bipartisan Groups Urge You to Vote YES on Prop. 11, FOR CHANGE in Sacramento.

Good government, senior, consumer, business, and taxpayer organizations are asking you to vote YES on Prop. 11 (note some of the signers of this ballot argument).

The Politicians Oppose Change and Want You to Vote NO.

On the NO side of this measure are politicians, political insiders, and political party elites who will do or say almost anything to stop change and protect the status quo.

YES ON PROP. 11: CHANGE IN SACRAMENTO

There is a serious conflict of interest when legislators are allowed to draw their own district boundaries. They divide up neighborhoods and communities to create districts where they are virtually guaranteed reelection.

Once elected, these politicians aren't accountable to voters because they don't have to earn our votes. Instead, they pay more attention to the special interests.

"The current system where politicians draw their own districts is rigged to make sure they get reelected. Prop. 11 will put voters back in charge and make it easier to vote them out of office if they're not doing their job." — Pete Constant, Retired San Jose Police Officer

YES ON PROP. 11: PUT VOTERS IN CHARGE

Prop. 11 will end this conflict of interest by establishing an independent citizens commission to draw districts so that they are fair. Standards required by this measure will assure that districts are drawn so they don't divide neighborhoods and communities.

The commission will include Democrats, Republicans, and independents, and the process will be open to the public. This will assure a balanced, inclusive process that produces fair districts.

"If legislators don't have to compete to get reelected, they have no accountability to voters. That means they don't have to work

together to solve problems like education, health care, roads, crime, and the state budget. Prop. 11 will keep politicians tuned-in to voter needs." — Jodi Serrano, Public School Teacher, Sacramento

YES ON PROP. 11: HOLD THE POLITICIANS ACCOUNTABLE

Many of the problems we face in California are a direct result of politicians not being accountable to voters. When they draw their own districts, we end up with gridlock and nothing gets done.

"It's time to send the politicians a message and change Sacramento. That's why I'm voting YES on Prop. 11."

— Mike Holley, Owner, Apogee Publications, Whittier

Proposition 11 will help end the gridlock and force the politicians to start solving problems. If they don't, we can vote them out of office because they'll have to run in fair districts.

"Democrats, Republicans, independents, and people from every walk of life and every corner of the state support Prop. 11 to send a strong message to politicians that it's time to quit playing games and work together to get California back on track." — Eligio Nava, President, Central California Hispanic Chamber of Commerce

PLEASE JOIN US IN VOTING YES ON PROP. 11.

Check it out for yourself: YesonProp11.org

JANIS R. HIROHAMA, President League of Women Voters of California

TERESA CASAZZA, President California Taxpayers' Association

JEANNINE ENGLISH, President AARP California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 11 ★

WHAT THE POLITICIANS WON'T TELL YOU ABOUT PROP. 11

They're selling Prop. 11 as a cure-all—and hoping you won't check the label.

THEY WON'T TELL YOU WHAT PROP. 11 IS REALLY ABOUT.

Their high-priced consultants hope you won't read their 4,500-word initiative. If you do, you'll see Prop. 11 for what it is: a scheme to change the Constitution and give the power of drawing districts to people who are NEVER ELECTED and NEVER ACCOUNTABLE.

THEY WON'T TELL YOU HOW PROP. 11 WORKS.

They never explain why Prop. 11 guarantees members of the two political parties more say than the rest of us. They won't explain how bureaucrats and politicians decided who's in charge.

THEY WON'T TELL YOU WHAT PROP. 11 WILL COST.

Prop. 11 creates a new bureaucracy to draw districts—on top of the people we already pay for the job. They will spend millions of dollars—and no audits to account for their money.

THEY WON'T TELL YOU WHAT THEY REALLY WANT.

The politicians backing Prop. 11 have taken more contributions from special interests than any politicians in California history. But they don't trust voters to elect the right people—so they're trying to change the rules to help themselves.

BEFORE YOU VOTE

Ask yourself: What's this about? How would it really work? How much will this cost? And most important of all—who's really behind this, and what do they really want?

Read Prop. 11 for yourself. And vote NO.

www.NoOnProp11.org

HENRY L. "HANK" LACAYO, State President Congress of California Seniors

MIKE JIMENEZ, State President California Correctional Peace Officers Association

MARTIN HITTELMAN, President California Federation of Teachers

★ ARGUMENT AGAINST PROPOSITION 11 ★

Faced with *real problems*—budget deficits, rising gas prices, and a shaky economy—what do the politicians bring us? Prop. 11—another nonsensical scheme to change how we draw lines between one district and another. *What are they thinking?*

Redistricting may not mean much to you, but for some politicians, it's all they care about. Five times, they've spent millions on lawyers, consultants, and paid signature gatherers to put a new scheme on the ballot. *Every time, voters said "NO."*

The forces behind Prop. 11 don't respect California's voters, so they're back again.

What do they REALLY want? *Power for themselves, at your expense.* They know redistricting is about power. They want to rewrite our Constitution to suit themselves.

PROP. 11 UNDERMINES DEMOCRACY

Prop. 11 gives the final say for the entire state to a 14-member "redistricting commission" never elected by the people. *You don't get a choice.* There's no guarantee they'll represent you or your neighbors. That's why community organizations oppose Prop. 11.

Prop. 11 sets aside 10 of the 14 commission seats for *partisan members* of the two biggest political parties—and gives them *veto power over almost every decision.* If the big party representatives don't go along—*nothing gets done.*

What does that mean? Political insiders will keep carving up the state to serve their own interests.

PROP. 11 GIVES POWER TO BUREAUCRATS

Prop. 11 doesn't keep politicians out of redistricting—it just lets them hide behind a tangled web of bureaucrats picked for their political ties. It actually *takes state auditors off the job of rooting out government waste* to spend time screening commission applications.

Who picks the commission? Bureaucrats. They decide who's qualified. And then the four most powerful legislators can reject anyone they want. *That's reform?*

PROP. 11 MEANS TWO BUREAUCRACIES INSTEAD OF ONE

Prop. 11 only gives this new commission *half the job.* It leaves the other half—drawing Congressional districts—to the state Legislature.

So Prop. 11 means *paying for two of everything:* two sets of attorneys, two teams of consultants, working out of two different offices—with neither one working together or sharing resources.

PROP. 11 PROVIDES NO ACCOUNTABILITY TO TAXPAYERS

Prop. 11 guarantees each commission member \$300 a day, plus expenses, with *no limit.* There's also *no limit* on how many attorneys, consultants, and staff the commission hires, or how much it spends for offices, hearings, and outreach. *And there's nothing requiring auditors to examine the commission's spending for waste and abuse.*

PROP. 11 AN EMPTY PROMISE

Read it yourself. It makes big promises, but *never delivers.* Voters get no say over who draws districts. Instead, we get *a new bureaucracy with no accountability and no spending limits.*

Prop. 11 really means a lot of political insiders *keep their power*—a few get *even more*—and *the rest of us get less.*

That's not reform—that's a hidden agenda that does nothing to address the real problems facing our state. Visit www.noonprop11.org—and vote NO!

DANIEL H. LOWENSTEIN, Former Chair Fair Political Practices Commission
ROBERT BALGENORTH, President State Building & Construction Trades Council of California
MARTIN HITTELMAN, President California Federation of Teachers

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 11 ★

YES on 11—STOP THE POLITICIANS' CONFLICT OF INTEREST.

YES on 11 ends the conflict of interest of politicians drawing their own election districts.

It means fair election districts drawn by citizens, not politicians, so we can *hold them accountable and throw them out of office if they aren't doing their jobs.*

A "no" vote means politicians continue drawing their own districts and more gridlock in Sacramento.

POLITICIANS ARE BEHIND THE MISLEADING "NO" CAMPAIGN.

Here's what newspapers say:

" . . . Senate President Pro Tem Don Perata, D-Oakland, is leading a campaign of deception against it. His committee is called "Citizens for Accountability—No on the Power Grab," which is ironic because its obvious purpose is to preserve incumbents' stranglehold on power."

San Jose Mercury News, 7-7-08

" . . . he's [Perata] working to kill reform—just as he always has, on issue after issue, year after year."

San Diego Union Tribune, 7-7-08

YES on 11—PUTS VOTERS FIRST.

YES on 11 creates a diverse, qualified, independent commission that will draw fair districts that truly respect California's communities and neighborhoods *for the first time.*

YES on 11—IT'S TIME FOR CHANGE.

YES on 11 *sends a message to politicians that voters have had enough, and it's time for change.* Proposition 11 will put voters back in charge and force politicians to work together to *solve real problems like healthcare, education, water, the budget, and the high cost of food and gas.*

Democrats, Republicans, independents, and community groups support Proposition 11. YES on 11.

KATHAY FENG, Executive Director California Common Cause
JOSEPH V. KERR, President Orange County Professional Firefighters Association
GARY TOEBBEN, President Los Angeles Area Chamber of Commerce

EXHIBIT C

C A L I F O R N I A
GENERAL
ELECTION
TUESDAY, NOVEMBER 2, 2010

★ **OFFICIAL VOTER INFORMATION GUIDE** ★

Certificate of Correctness

I, Debra Bowen, Secretary of State of the State of California, hereby certify that the measures included herein will be submitted to the electors at the General Election to be held on November 2, 2010, and that this guide has been prepared in accordance with the law.

Witness my hand and the Great Seal of the State in Sacramento, California, this 10th day of August, 2010.

Debra Bowen



Debra Bowen
Secretary of State

REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT.

- Removes elected representatives from the process of establishing congressional districts and transfers that authority to the recently-authorized 14-member redistricting commission.
- Redistricting commission is comprised of five Democrats, five Republicans, and four voters registered with neither party.
- Requires that any newly-proposed district lines be approved by nine commissioners including three Democrats, three Republicans, and three from neither party.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- No significant net change in state redistricting costs.

ANALYSIS BY THE LEGISLATIVE ANALYST

This measure takes the responsibility to determine boundaries for California's congressional districts away from the State Legislature. Instead, the commission recently established by voters to draw district boundaries of state offices would determine the boundaries of congressional districts.

BACKGROUND

In a process known as "redistricting," the State Constitution requires that the state adjust the boundary lines of districts once every ten years following the federal census for the State Assembly, State Senate, State Board of Equalization (BOE), and California's congressional districts for the U.S. House of Representatives. To comply with federal law, redistricting must establish districts which are roughly equal in population.

Recent Changes to State Legislature and BOE Redistricting. In the past, district boundaries for all of the offices listed above were determined in bills that became law after they were approved by the Legislature and signed by the Governor. On some occasions, when the Legislature and the Governor were unable to agree on redistricting plans, the California Supreme Court performed the redistricting.

In November 2008, voters passed Proposition 11, which created the Citizens Redistricting Commission to establish new district boundaries for the State Assembly, State Senate, and BOE beginning after the 2010 census. To be established once every ten years, the commission will consist of 14 registered voters—5 Democrats, 5 Republicans, and 4 others—who apply for the position and are chosen according to specified rules.

When the commission sets district boundaries, it must meet the requirements of federal law and other requirements, such as not favoring or discriminating against political parties, incumbents, or political candidates. In addition, the commission is required, to the extent possible, to adopt district boundaries that:

- Maintain the geographic integrity of any city, county, neighborhood, and "community of interest" in a single district. (The commission is responsible for defining "communities of interest" for its redistricting activities.)
- Develop geographically compact districts.
- Place two Assembly districts together within one Senate district and place ten Senate districts together within one BOE district.

Current Congressional Redistricting Process. Currently, California is entitled to 53 of the 435 seats in the U.S. House of Representatives. Proposition 11 did not change the redistricting process for these 53 congressional seats. Currently, therefore, redistricting plans for congressional seats are included in bills that are approved by the Legislature.

Proposition 11, however, did make some changes to the requirements that the Legislature must meet in drawing congressional districts. The Legislature—like the commission—now must attempt to draw geographically compact districts and maintain geographic integrity of localities, neighborhoods, and communities of interest, as defined by the Legislature. Proposition 11, however, does not prohibit the Legislature from favoring or discriminating against political parties, incumbents, or political candidates when drawing congressional districts.

PROPOSAL

Proposed New Method for Congressional Redistricting. This measure amends the Constitution to change the redistricting process for California's districts in the U.S. House of Representatives. Specifically, the measure removes the authority for congressional redistricting from the Legislature and instead gives this authority to the Citizens Redistricting Commission. The

commission would draw congressional districts essentially as it draws other district lines under Proposition 11. The commission, for example, could not draw congressional districts in order to favor incumbents, political candidates, or political parties. The commission also is to consider the geographic integrity of cities, counties, neighborhoods, and communities of interest. As under Proposition 11, compliance with federal law would be required.

“Community of Interest” Defined. In addition to adding similar criteria for congressional redistricting as those established in Proposition 11, the measure defines a “community of interest” for both congressional redistricting and redistricting of State Assembly, State Senate, and BOE seats. A community of interest is defined as “a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.”

Two Redistricting-Related Measures on This Ballot. In addition to this measure, another measure on the November 2010 ballot—Proposition 27—concerns redistricting issues. Key provisions of these two propositions, as well as current law, are summarized in Figure 1. If both of these measures are approved by voters, the proposition receiving the greater number of “yes” votes would be the only one to go into effect.

Figure 1

Comparing Key Provisions of Current Law and November 2010 Propositions on the Drawing of Political Districts

	Current Law	Proposition 20	Proposition 27
Entity that draws State Assembly, State Senate, and Board of Equalization (BOE) districts	Citizens Redistricting Commission ^a	Citizens Redistricting Commission	Legislature
Entity that draws California's congressional districts	Legislature	Citizens Redistricting Commission	Legislature
Definition of a "community of interest" ^b	Defined by Citizens Redistricting Commission/Legislature	"A contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation"	Determined by the Legislature

^a The commission was established by Proposition 11 of 2008.

^b Under current law and both Proposition 20 and Proposition 27, redistricting entities generally are charged with attempting to hold together a "community of interest" within a district.

FISCAL EFFECTS

Redistricting Costs Prior to Proposition 11 and Under Current Law. The Legislature spent about \$3 million in 2001 from its own budget specifically for redistricting activities, such as the purchase of specialized redistricting software and equipment. In addition to these costs, some regular legislative staff members, facilities, and equipment (which are used to support other day-to-day activities of the Legislature) were used temporarily for redistricting efforts.

In 2009, under the Proposition 11 process, the Legislature approved \$3 million from the state's General Fund for redistricting activities related to the 2010 census. In addition, about \$3 million has been spent from another state fund to support the application and selection process for commission members. For future redistricting efforts, Proposition 11 requires the commission process to be funded at least at the prior decade's level grown for inflation. The Legislature currently funds congressional redistricting activities within its budget.

Redistricting Costs Under This Proposal. This measure would consolidate all redistricting activity under the Citizens Redistricting Commission process established by Proposition 11 in 2008. The commission would experience increased costs

from handling congressional redistricting activities. These costs, however, would be offset by a reduction in the Legislature's redistricting costs. Any net change in future redistricting costs under this measure probably would not be significant.

★ ARGUMENT IN FAVOR OF PROPOSITION 20 ★

Proposition 20 will put an end to legislators drawing election districts for their friends in Congress—districts that virtually guarantee Members of Congress get reelected even when they don't listen to voters.

Proposition 20 will create fair congressional districts that make our congressional representatives more accountable to voters and make it easier to vote them out of office when they don't do their jobs.

Proposition 20 simply extends the redistricting reforms voters passed in 2008 (Prop. 11) so the voter-approved independent Citizens Redistricting Commission, instead of politicians, draws California congressional districts in addition to drawing state legislative districts.

The Commission is already being organized to draw fair districts. Visit the official state site to see preparations for the Citizens Redistricting Commission's redistricting in 2011 (www.wedrawthelines.ca.gov).

Proposition 20 will:

- Create fair congressional districts.
- Help make our congressional representatives more accountable and responsive to voters.
- Make it easier to vote Members of Congress out of office if they're not doing their jobs.

YES ON PROPOSITION 20: STOP THE BACKROOM DEALS

Right now, legislators and their paid consultants draw districts behind closed doors to guarantee their friends in Congress are reelected. Sacramento politicians pick the voters for their friends in Congress, rather than voters choosing who will represent them.

The Los Angeles Times and Orange County Register revealed that in the last redistricting, 32 Members of Congress and other politicians paid one political consultant over ONE MILLION dollars to draw district boundaries to guarantee their reelection!

Proposition 20 puts an end to backroom deals by ensuring redistricting is completely open to the public and transparent. Proposition 20 means no secret meetings or payments are allowed and politicians can't divide communities just to get the political outcome they want.

YES ON PROPOSITION 20: HOLD POLITICIANS ACCOUNTABLE

When politicians are guaranteed reelection, they have little incentive to work together to solve the serious problems we all face.

Proposition 20 will create fair districts so politicians will actually have to work for our votes and respond to voter needs.

"When voters can finally hold politicians accountable, politicians will have to quit playing games and work to address the serious challenges Californians face."—Ruben Guerra, Latin Business Association

The choice is simple:

GOOD GOVERNMENT GROUPS ASK YOU TO VOTE "YES" ON PROPOSITION 20 to force politicians to compete in fair districts so we can hold them accountable.

POLITICIANS WANT YOU TO VOTE "NO" ON PROPOSITION 20 so they can stifle voters' voices so we can't hold them accountable.

It's time we stand up to the politicians and special interests and extend voter-approved redistricting reforms to include Congress.

Voters already created the Commission—it's common sense to have the Commission draw congressional as well as legislative districts.

"People from every walk of life support Proposition 20 to send a message to politicians that it's time to put voters in charge and get California back on track."—Joni Low, Asian Business Association of San Diego

JOIN US IN VOTING YES ON PROPOSITION 20.
YesProp20.org

DAVID PACHECO, California President
AARP

KATHAY FENG, Executive Director
California Common Cause

JOHN KABATECK, Executive Director
National Federation of Independent Business/California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 20 ★

DON'T BE FOOLED—NO ON PROPOSITION 20—IT WASTES TAXPAYER DOLLARS

Perhaps Charles Munger, Junior, the sole bankroller of Prop. 20, has fooled well-meaning David Pacheco, Kathay Feng, and John Kabateck. But don't let him fool you.

Prop. 20 guarantees no level of fairness, guarantees no competitive districts, guarantees nothing—except that voters cannot hold those who draw congressional district lines accountable for what they do **AND THAT YOU, THE TAXPAYER, WILL FOOT THE BILL FOR MUNGER'S SCHEME.**

Accountability to the people is the fundamental principle of our form of government. But Prop. 20 gives a non-accountable 14-person bureaucracy even more power over the people. And, of course, this bureaucracy will cost you money.

Proponents have stated (unknowingly) the most obvious reason to vote No on 20: **BELIEVE IT OR NOT**, these people want to extend the travesty of the existing redistricting commission even further! Who, other than a handful of lobbyists, lawyers, and

politicians has been able to figure out the incredibly complicated labyrinth for choosing the commission?

And the bureaucrats who emerge from this wasteful inscrutable process will have absolute power over our legislative districts.

VOTERS WILL NEVER HAVE A CHANCE TO HOLD THEM RESPONSIBLE FOR WHAT THEY DO.

Our state is in crisis! Unemployment, crime, massive debt. It is time to stop nonsense political games of reapportionment.

Save taxpayer dollars, hold the power brokers accountable to the people. Vote No on Proposition 20. Vote Yes on its rival, Proposition 27.

MARK MURRAY, Executive Director
Californians Against Waste

HANK LACAYO, President
Congress of California Seniors

DANIEL H. LOWENSTEIN, Founding Chairman
California Fair Political Practices Commission

★ ARGUMENT AGAINST PROPOSITION 20 ★

NO ON 20—it wastes taxpayer dollars and it turns back the clock on redistricting law. Proposition 20 is a disaster . . . it must be defeated.

NO ON PROPOSITION 20—IT WASTES TAXPAYER DOLLARS:

20 is the brainchild of Charles Munger, Jr.—son of multi-billionaire Wall Street tycoon Charles Munger. MUNGER JUNIOR IS THE SOLE BANK-ROLLER OF 20. (Well, four other contributors have given all of \$700.) But just for its qualification, MUNGER GAVE \$3.3 MILLION, a figure that will probably multiply many times by Election Day.

But if Proposition 20 passes, the taxpayers will start paying the bills instead of Munger Junior. Prop. 20 will cost us millions of dollars. Compare Prop. 20 with its rival, Prop. 27.

First, non-partisan experts have concluded that YES ON PROP. 27 saves taxpayer dollars:

“Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: LIKELY DECREASE IN STATE REDISTRICTING COSTS TOTALING SEVERAL MILLION DOLLARS EVERY TEN YEARS.”

Second, Prop. 20 adds to the cascade of waste that Prop. 27 would avoid. Governor Schwarzenegger has already proposed going back to the well to *double* the redistricting budget, spending MILLIONS MORE DOLLARS to draw lines for politicians while the state is facing a \$19 billion deficit.

AND NOW WITH PROP. 20, MUNGER JUNIOR WANTS TO MAKE THIS WASTEFUL BUREAUCRACY SPRAWL EVEN FURTHER AT THE EXTRA EXPENSE OF YOU, THE TAXPAYER.

NO ON PROPOSITION 20—IT MANDATES JIM CROW ECONOMIC DISTRICTS:

Proposition 20 turns back the clock on redistricting law. Inexplicably, Proposition 20 mandates that all districts (including Assembly, Senate, and Congress) must be segregated by income level. This pernicious Prop. 20 mandates that all districts be segregated according to “similar living standards” and that districts include only people “with similar work opportunities.”

“Prop. 20 is insulting to all Californians. Jim Crow districts are a thing of the past. 20 sets back the clock on redistricting law. No on 20.”—Julian Bond, Chairman Emeritus, NAACP

Jim Crow districts are a throwback to an awful bygone era. Districting by race, by class, by lifestyle or by wealth is unacceptable. Munger Junior may not want to live in the same district as his chauffeur, but Californians understand these code words. The days of “country club members only” districts or of “poor people only” districts are over. NO ON PROP. 20—all Californians MUST be treated equally.

OUR DEMOCRATIC REPUBLIC IS NOT A TOY TO BE PLAYED WITH FOR THE SELF-AGGRANDIZEMENT OF THE IDLE SECOND-GENERATION RICH.

NO ON 20, YES ON 27.

DANIEL H. LOWENSTEIN, Founding Chairman
California Fair Political Practices Commission

AUBRY L. STONE, President
California Black Chamber of Commerce

CARL POPE, Chairman
Sierra Club

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 20 ★

The argument against Proposition 20 is one of the most angry and over-the-top you'll ever see in the Voter Guide.

THE POLITICIANS BEHIND IT SHOULD BE ASHAMED.

They're desperate because voters can pass Proposition 20 and stop Sacramento politicians from drawing election districts to ensure their friends in Congress are reelected, even when they don't listen to voters.

That's a threat to them. Politicians will say anything to protect their “safe” seats in Congress so they're not accountable to voters.

DON'T BE MISLED BY THE POLITICIANS' BOGUS “COST” ARGUMENT.

FACT: The non-partisan state Legislative Analyst found Prop. 20 will result in “probably no significant change in redistricting costs.” Cal-Tax and other taxpayer groups support 20.

HERE'S WHY PASSING PROPOSITION 20 IS SO IMPORTANT:

FACT: In the last redistricting, Latino leaders sued after a California Congressman had 170,000 Latinos carved out of his district just to ensure he'd get reelected. Now he's leading the charge against 20!

FACT: Politicians want to defeat 20 so they can keep drawing districts that divide communities, cities and counties and dilute voters' voices—just to get safe seats.

FACT: 20 will finally put an end to the politicians' self-serving, backroom deals.

FACT: With 20, the voter-approved Citizens Redistricting Commission will draw fair congressional districts in a completely transparent manner, giving voters power to hold politicians accountable.

The California Black Chamber of Commerce, Latin Business Association, Asian Pacific Islander American Public Affairs Association all say YES on 20!

Check it out for yourself: www.YesProp20.org

ALICE HUFFMAN, President
California NAACP

JULIAN CANETE, Executive Director
California Hispanic Chambers of Commerce

RICHARD RIDER, Chairman
San Diego Tax Fighters



901 P Street, Suite 154A, Sacramento, CA 95814

August 15, 2011

The Hon. Debra Bowen
California Secretary of State
1500 11th Street
Sacramento, California 95814

Dear Secretary Bowen:

The California Citizens Redistricting Commission (Commissioner) was established pursuant to the procedures set forth by Proposition 11, the Voters First Act, and Proposition 20, the Voters First Act for Congress, the provisions of which are now found in Section 2 of Article XXI of the California Constitution and at Government Code Section 8252. These constitutional and statutory provisions set forth the Commission's responsibilities with respect to drawing the boundary lines for the California Assembly, Senate, Board of Equalization and Congressional districts (the Maps).

The Voters First Act for Congress requires the Commission to certify the Maps, and prepare a final report, and cause them to be provided to your office by August 15, 2011. Accordingly, this letter confirms that the Commission has timely completed these responsibilities and hereby provides the Secretary of State's Office with the following:

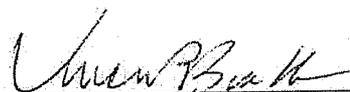
1. **State Assembly.** Resolution of August 15, 2011 certifying the statewide California Assembly maps were approved by the Commission in the manner required by Section 2 of Article XXI of the California Constitution; a copy of the statewide Assembly map; copies of the 80 individual Assembly districts; and a "disc" labeled `crc_20110815_assembly_certified_statewide.zip` SHA-1: `323d2c56df6bf3ad6b3b4e58fd7c5d0338a476b8` containing the unique data files for the Assembly districts, from which the statewide and individual district maps are created.
2. **State Senate.** Resolution of August 15, 2011 certifying the statewide California Senate maps were approved by the Commission in the manner required by Section 2 of Article XXI of the California Constitution; a copy of the statewide Senate map; copies of the 40 individual Senate districts; and a "disc" labeled `crc_20110815_senate_certified_statewide.zip` SHA-1:

14cd4e126ddc5bdce946f67376574918f3082d6b containing the unique data files for the Senate districts, from which the statewide and individual district maps are created.

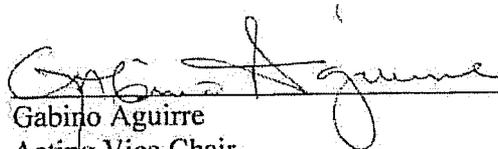
3. **State Board of Equalization.** Resolution of August 15, 2011 certifying the statewide California Board of Equalization maps were approved by the Commission in the manner required by Section 2 of Article XXI of the California Constitution; a copy of the statewide Board of Equalization map; copies of the four individual Board of Equalization districts; and a "disc" labeled `crc_20110815_boe_certified_statewide.zip` SHA-1: `3dd8d0f1325818b92429f987c03668ba036ece1d` containing the unique data files for the Board of Equalization districts from which the statewide and individual district maps are created.
4. **Congressional Districts.** Resolution of August 15, 2011 certifying the statewide California Congressional districts were approved by the Commission in the manner required by Section 2 of Article XXI of the California Constitution; a copy of the statewide Congressional map; copies of the 53 individual Congressional districts; and a "disc" labeled `crc_20110815_congress_certified_statewide.zip` SHA-1: `1893c0695a42454a202f5b1ef433abff6b491db9` containing the unique data files for the Congressional districts from which the statewide and individual district maps are created.
5. **Final Report.** A copy of the final report prepared as required by Section 2(h), of Article XXI of the California Constitution.

It has been an honor for the Commission to serve the people of the State of California.

Sincerely,



Vincent Barabba
Acting Chair
On Behalf of the California Citizens
Redistricting Commission



Gabino Aguirre
Acting Vice Chair
On Behalf of the California Citizens
Redistricting Commission

AUG 15 2011

Resolution
California Citizens Redistricting Commission
Certification of Statewide Assembly Map

August 15, 2011

Whereas, on July 29, 2011 the California Citizens Redistricting Commission (Commission) voted to approve for posting and public comment the statewide Assembly Map (Assembly Map) referred to as the preliminary final Assembly Map; and,

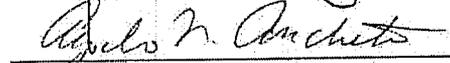
Whereas, on August 15, 2011, pursuant to Article XXI, Section 2(c)(5) of the California Constitution, the Commission voted to adopt as final the Assembly Map, identified by crc_20110815_assembly_certified_statewide.zip and secure hash algorithm (SHA-1) number 323d2c56df6bf3ad6b3b4e58fd7c5d0338a476b8.

Now, therefore, be it resolved, that pursuant to Article XXI, Section 2 (g) of the California Constitution, the Assembly Map, identified with the above referenced SHA -1 is hereby certified by the Commission and shall be delivered forthwith to the California Secretary of State; and,

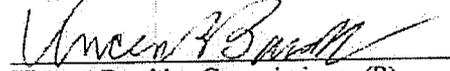
Resolved further, that the members of the Commission have affixed their signatures to this Resolution.



Gabino Aguirre, Commissioner (D)



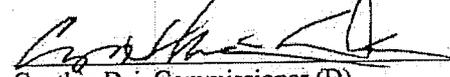
Angelo Anchetta, Commissioner (D)



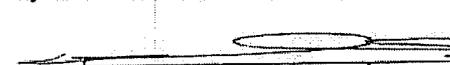
Vincent Barabba, Commissioner (R)



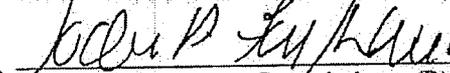
Maria Blanco, Commissioner (D)



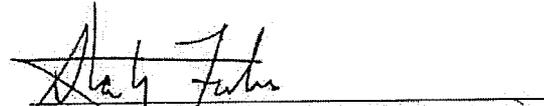
Cynthia Dai, Commissioner (D)



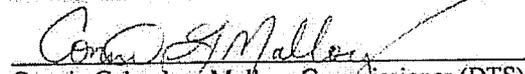
Michelle DiGuilio, Commissioner (DTS)



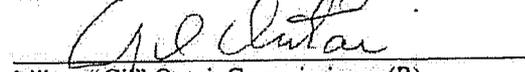
Jodie Filkins Webber, Commissioner (R)



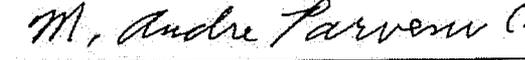
Stanley Forbes, Commissioner (DTS)



Connie Galambos-Malloy, Commissioner (DTS)



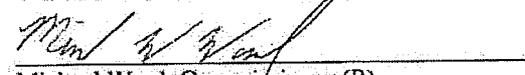
Lilbert "Gil" Ontai, Commissioner (R)



M. Andre Parvenu, Commissioner (DTS)



Jeanne Raya, Commissioner (D)



Michael Ward, Commissioner (R)



Peter Yao, Commissioner (R)

AUG 15 2011

Resolution
California Citizens Redistricting Commission
Certification of Statewide Senate Map

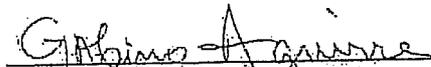
August 15, 2011

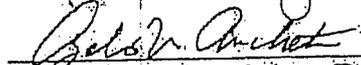
Whereas, on July 29, 2011 the California Citizens Redistricting Commission (Commission) voted to approve for posting and public comment the statewide Senate Map (Senate Map) referred to as the preliminary final Senate Map; and

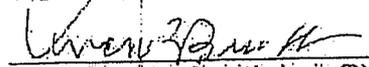
Whereas, on August 15, 2011, pursuant to Article XXI, Section 2(c)(5) of the California Constitution, the Commission voted to adopt as final the Senate Map, identified by crc_20110815_senate_certified_statewide.zip and secure hash algorithm (SHA-1) number 14cd4e126ddc5bdce946f67376574918f3082d6b.

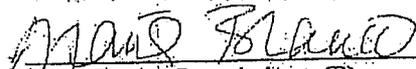
Now, therefore, be it resolved, that pursuant to Article XXI, Section 2 (g) of the California Constitution, the Senate Map, identified with the above referenced SHA -1 is hereby certified by the Commission and shall be delivered forthwith to the California Secretary of State; and

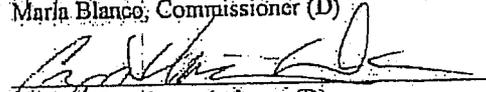
Resolved further, that the members of the Commission have affixed their signatures to this Resolution.


Gabino Aguirre, Commissioner (D)

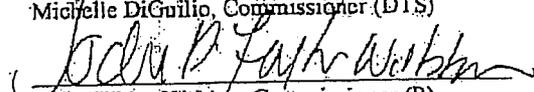

Angelo Ancheta, Commissioner (D)

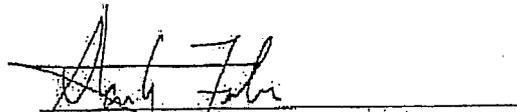

Vincent Barabba, Commissioner (R)

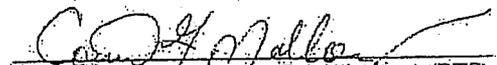

Maria Blanco, Commissioner (D)

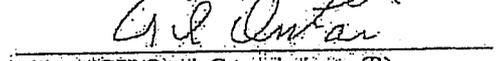

Cynthia Dai, Commissioner (D)

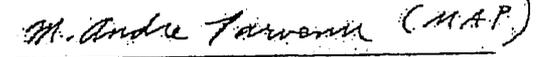

Michelle DiGulio, Commissioner (DTS)


Jodie Filkins-Webber, Commissioner (R)

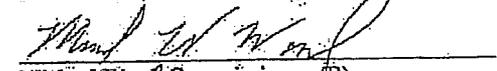

Stanley Forbes, Commissioner (DTS)

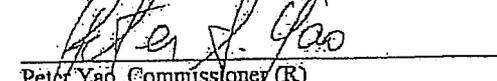

Connie Galambos-Malloy, Commissioner (DTS)


Lilbert "Gil" Ontai, Commissioner (R)


M. Andre Parvenu, Commissioner (DTS)


Jeanne Raya, Commissioner (D)


Michael Ward, Commissioner (R)


Peter Yao, Commissioner (R)

AUG 15 2011

Resolution
California Citizens Redistricting Commission
Certification of Statewide Congressional Map

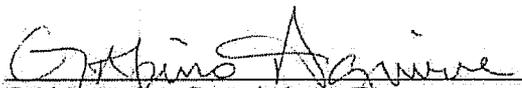
August 15, 2011

Whereas, on July 29, 2011 the California Citizens Redistricting Commission (Commission) voted to approve for posting and public comment the statewide Congressional Map (Congressional Map) referred to as the preliminary final Congressional Map; and,

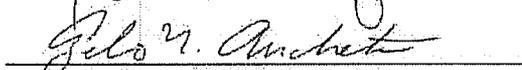
Whereas, on August 15, 2011, pursuant to Article XXI, Section 2(c)(5) of the California Constitution, the Commission voted to adopt as final the Congressional Map, identified by crc_20110815_congress_certified_statewide.zip and secure hash algorithm (SHA-1) number 1893c0695a42454a202f5b1ef433abff6b491db9.

Now, therefore, be it resolved, that pursuant to Article XXI, Section 2 (g) of the California Constitution, the Congressional Map, identified with the above referenced SHA -1 is hereby certified by the Commission and shall be delivered forthwith to the California Secretary of State; and,

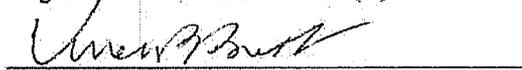
Resolved further, that the members of the Commission have affixed their signatures to this Resolution.



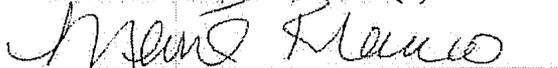
Gabino Aguirre, Commissioner (D)



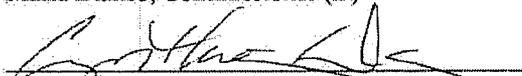
Angelo Ancheta, Commissioner (D)



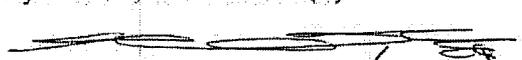
Vincent Barabba, Commissioner (R)



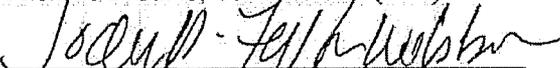
Maria Blanco, Commissioner (D)



Cynthia Dai, Commissioner (D)



Michelle DiGuilio, Commissioner (DTS)



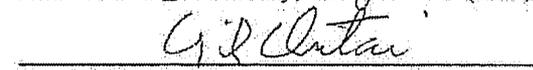
Jodie Filkins Webber, Commissioner (R)



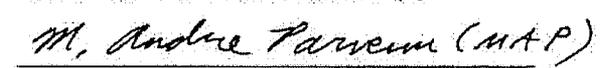
Stanley Forbes, Commissioner (DTS)



Connie Galambos-Malloy, Commissioner (DTS)



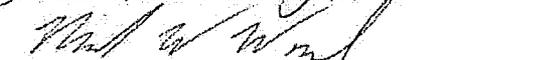
Lilbert "Gil" Ontai, Commissioner (R)



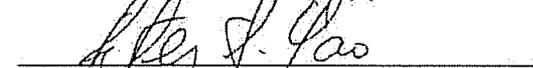
M. Andre Parvenu, Commissioner (DTS)



Jeanné Raya, Commissioner (D)



Michael Ward, Commissioner (R)



Peter Yao, Commissioner (R)

AUG 15 2011

Resolution
California Citizens Redistricting Commission
Certification of Statewide Board of Equalization Map

August 15, 2011

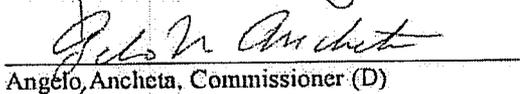
Whereas, on July 29, 2011 the California Citizens Redistricting Commission (Commission) voted to approve for posting and public comment the statewide Board of Equalization Map (Board of Equalization Map) referred to as the preliminary final Board of Equalization Map; and,

Whereas, on August 15, 2011, pursuant to Article XXI, Section 2(c)(5) of the California Constitution, the Commission voted to adopt as final the Board of Equalization Map, identified by crc_20110815_boe_certified_statewide.zip and secure hash algorithm (SHA-1) number 3dd8d0f1325818b92429f987c03668ba036ecel.d.

Now, therefore, be it resolved, that pursuant to Article XXI, Section 2 (g) of the California Constitution, the Board of Equalization Map, identified with the above referenced SHA -1 is hereby certified by the Commission and shall be delivered forthwith to the California Secretary of State; and,

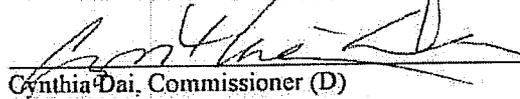
Resolved further, that the members of the Commission have affixed their signatures to this Resolution.

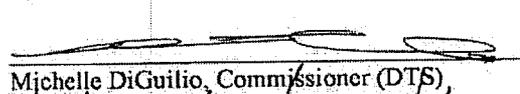

Gabino Aguirre, Commissioner (D)

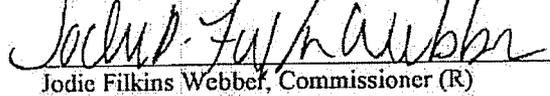

Angelo Ancheta, Commissioner (D)


Vincent Barabba, Commissioner (R)

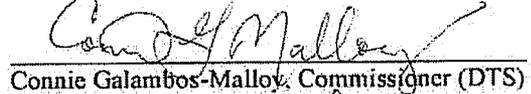

Maria Blanco, Commissioner (D)

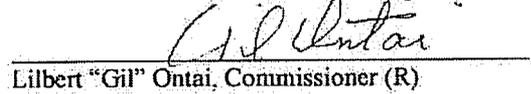

Cynthia Dai, Commissioner (D)

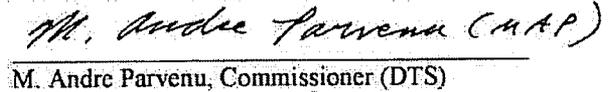

Michelle DiGuilio, Commissioner (DTS)


Jodie Filkins Webber, Commissioner (R)


Stanley Forbes, Commissioner (DTS)

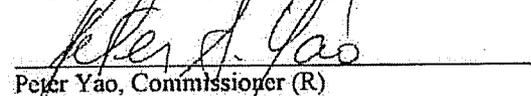

Connie Galambos-Malloy, Commissioner (DTS)


Lilbert "Gil" Ontai, Commissioner (R)


M. Andre Parvenu, Commissioner (DTS)


Jeanne Raya, Commissioner (D)


Michael Ward, Commissioner (R)


Peter Yao, Commissioner (R)

STATE OF CALIFORNIA
CITIZENS REDISTRICTING COMMISSION
FINAL REPORT ON 2011 REDISTRICTING
AUGUST 15, 2011

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APPENDICES

Appendix 1: District maps (Assembly, Senate, Board of Equalization, and Congressional).

Appendix 2: Population deviation report.

Appendix 3: Population statistics for each district (Assembly, Senate, Board of Equalization, and Congressional).

Appendix 4: County report and city report, per district (Assembly, Senate, Board of Equalization, and Congressional).

Appendix 5: Nesting report (Senate and Board of Equalization).

Appendix 6: Hash report.

I. INTRODUCTION

The Citizens Redistricting Commission for the State of California (the “Commission”) has completed the creation of statewide district maps for Assembly, Senate, Board of Equalization, and Congress in accordance with the provisions of Article XXI of the California Constitution. The maps have received final approval by the Commission and have been certified to the Secretary of State.

This effort has been a historic event in the history of California. A group of 14 citizens, chosen from an applicant pool of more than 36,000, engaged in an extraordinary effort to conduct an open and transparent public process designed to receive input from the people of California about their communities and desires for fair and effective representation at each district level. The amount of public participation has been unprecedented. Through the course of 34 public meetings and 32 locations around the state, more than 2,700 people participated in person, and over 20,000 written comments were submitted. In addition, extensive participation in the form of proposed alternative maps for the state, various regions, or selected districts were received from a variety of individuals and groups.

The result of this effort is a set of statewide district maps for Assembly, Senate, Board of Equalization, and Congress that fully and fairly reflects the input of the people of California. The process was open, transparent, and free of partisanship. There were long and difficult debates, and disagreements among competing communities and interested persons. No person or group was excluded from full participation in the process. In the end, the full Commission voted overwhelmingly to approve each set of maps.

The people of California demanded a fair and open process when they adopted Propositions 11 and 20, which amended the California Constitution and created the Commission. The people participated in the implementation of the Commission, with over 36,000 applicants vying for 14 seats on the Commission. The people participated in the deliberations and debate over where to draw the lines.

The Commission is proud to have served the people of this great State, and it now urges everyone to embrace this historic process and support the resulting maps that were created in collaboration with the public.

A Fair and Impartial Commission Was Selected.

Redistricting in past decades has been conducted by the Legislature, when the Legislature and the Governor can agree, or by the courts, when they cannot. In November 2008, the voters approved Proposition 11 and enacted the Voters First Act (the “Act”) to shift the responsibility for drawing Assembly, Senate, and Board of Equalization districts to an independent Commission. In November 2010, the voters approved Proposition 20 and amended the Act to include Congressional redistricting within the Commission’s mandates. The Act’s stated purpose includes the following:

“The independent Citizens Redistricting Commission will draw districts based on strict, nonpartisan rules designed to ensure fair representation.”

The Act also charged the Commissioners with applying the law in a manner that is “impartial and reinforces public confidence in the integrity of the redistricting process.” (Cal Const., art. XXI, § 2, subd. (c)(6).) Consequently, the Act provides that each Commissioner is prohibited from holding elective public office at the federal, state, county or city level for a period of ten years from the date of their appointment, and from holding appointive public office for a period of five years. (*Ibid.*) In addition, Commissioners are ineligible for five years from holding any paid position with the Legislature or for any individual legislator, and cannot be a registered federal, state or local lobbyist during this period. (*Ibid.*)

The selection process for Commissioners was also designed to be extraordinarily fair and impartial, and to lead to a group of Commissioners who would meet very high standards of independence and would reflect the population of our state. To achieve this end, the Act created a process for the selection of Commissioners who would be free from partisan influence, and reflect the state’s diversity.

The Act established new sections of the Government Code to create a process that required the State Auditor, a constitutional officer independent of the executive branch and legislative control, to select the Commissioners through an application process open to all registered voters in a manner that promoted a diverse and qualified applicant pool. (Cal. Gov. Code, § 8251 et seq.) To ensure that the Commission was selected from a broad pool of Californians, the State Auditor undertook a significant outreach process throughout the state utilizing a wide variety of communications media, including mainstream and ethnic media, social media, a website, and staff assigned to respond to all telephone calls and e-mails.

The implementing laws required the State Auditor to establish an independent Applicant Review Panel (“ARP”) consisting of three qualified senior auditors licensed by the California Board of Accountancy, to screen the applicants for the Commission. (Gov. Code, § 8252, subd. (b).) The ARP was randomly selected in a manner identical to the first eight Commissioners, including one member for the largest party in the state, one member from the second largest party in the state, and one member not affiliated with either party. (*Ibid.*) Once the ARP was established, it held all of its meetings and interviews in public, and every event was live-streamed and archived for public review.

The ARP engaged in a review of all applicants who had preliminarily qualified after being screened through a detailed set of conflict of interest rules. (Gov. Code, § 8252, subds. (a)(2) & (d).) The selection process was public. The ARP was charged with selecting 60 qualified applicants, consisting of 20 from each of the three political subgroups. (*Id.*, § 8252, subd. (d).) The applicants were chosen based on their “analytical skills, ability to be impartial, and their appreciation for California’s diverse demographics and geography.” (*Ibid.*)

After this initial pool was selected, legislative leaders from the two major political parties were allowed to exercise discretionary strikes. (Gov. Code, § 8252, subd. (e).) The leaders for the Majority and Minority parties in the Assembly and the Senate were each allowed to eliminate two persons from each pool of applicants, based on their judgment and discretion. (*Ibid.*) This

procedure allowed for further scrutiny of the applicant pool by both Republican and Democratic party leaders to help ensure that real or perceived partisan leanings were further minimized. This process eliminated eight individuals from each of the three pools of 20 applicants, leaving 12 Republicans, 12 Democrats, and 12 not affiliated with either major party. (*Ibid.*) From the remaining pool, the State Auditor randomly selected three Democrats, three Republicans, and two not affiliated with either party, who became the first eight Commissioners. (*Id.*, § 8252, subd. (f).)

This extraordinary effort to implement a fair selection process then continued, with the first eight Commissioners charged with selecting the remaining six Commissioners from the balance of the Applicant pool. The eight Commissioners deliberated on each applicant and applied all necessary criteria to establish a proposed slate of six. Specifically, the eight Commissioners were charged with applying the following additional criteria:

The six appointees shall be chosen to ensure the commission reflects this state's diversity, including but not limited to racial, ethnic, geographic, and gender diversity. However, it is not intended that formulas or specific ratios be applied for this purpose. Applicants shall also be chosen based on relevant analytical skills and ability to be impartial.

(Gov. Code, § 8252, subd. (g).) The eight Commissioners were required to, and did, agree on the proposed slate of six commissioners by a supermajority vote of at least two Democrats, two Republicans, and one affiliated with neither major party.

As a result of this process, the Commission consisted of five individuals who were registered as Democrats, five Republicans, and four Decline-to-State voters. The Commissioners chosen reflect the diversity of our state in several ways. They have different educational and employment experiences, come from different geographic regions, have worked in multiple locations around the state, and reflect the ethnic diversity of California. The Commissioners' backgrounds and biographic information are available on the Commission's website: www.wedrawthelines.ca.gov.

There was an Open and Extensive Public Hearing and Input Process.

The Voters First Act amended article XXI section 2(b) of the California Constitution to provide that the Commission "conduct an open and transparent process enabling full public consideration of and comment on the drawing of district lines." In addition, the Act required the Commission to "establish and implement an open hearing process for public input and deliberation" and to conduct an "outreach program to solicit broad public participation in the redistricting public review process." (Gov. Code, § 8253, subd. (a)(7).) The Commission took this obligation very seriously and made extensive efforts to ensure compliance by creating an open and extensive public hearing and input process.

To fulfill these requirements, the Commission did the following:

- The Commission solicited testimony through significant public outreach that included mainstream and ethnic media, the Commission's website, social media, and through

organizations such as the California Chamber of Commerce, Common Cause, the League of Women Voters, the Mexican American Legal Defense and Educational Fund, the National Association of Latino Elected and Appointed Officials, the Asian Pacific American Legal Center, California Forward, the Greenlining Institute and the National Association for the Advancement of Colored People. The Commission also distributed its educational materials in English and six other languages (Spanish, Chinese, Japanese, Korean, Tagalog, and Vietnamese), and accepted testimony in any form or language in which the information was submitted. This included information over the phone, by e-mail, fax, petitions, hand-drawn maps, and in-person public testimony.

- During the course of the redistricting process, which began after the full Commission was sworn in during the month of January 2011, the Commission held more than 70 business meetings and 34 public input hearings that were scheduled throughout California. The Commission held meetings in 32 cities, in 23 counties. Meetings were carefully designed to be at times and locations that were convenient for average citizens to participate. For example, most meetings were held during the early evening hours, usually at a government or school location in the center of a community. The Commission extended the hours of its input hearings, allowing many meetings to go several hours beyond the scheduled adjournment where venues permitted.
- At each business meeting, the Commission regularly allowed an opportunity for public input and comment.
- More than 2,700 speakers spoke at the public input hearings and presented testimony about their communities and regions. For example, at its meeting on April 28, 2011 in Los Angeles, over 180 individuals attended and offered input. At another meeting in Culver City, more than 250 people arrived. The Commission held the session until 11:15 p.m. in order to allow as many speakers as possible to participate. These are just two of many examples of the Commission's extensive effort to engage the public and solicit input on district maps.
- Ultimately, the Commission received more than 2,000 written submissions containing testimony and maps reflecting proposed statewide, regional, or other districts. Some private individuals and organized groups submitted detailed electronic data files along with their proposed maps at input hearings and business meetings. Representative groups that submitted testimony and/or proposed maps included: the African American Redistricting Coalition; the Armenian National Committee of America: Western Region; the Black Farmers and Agriculturalist Association; the California Conservative Action Group; the California League of Conservation Voters; the California Institute of Jobs Economy and Education; the Central Coast Alliance United for a Sustainable Economy; the Chinese American Citizens Alliance; the Citizens for the San Gabriel Mountains; the Coalition of Asian Pacific Americans for Fair Redistricting; the Coalition of Suburban Communities for Fair Representation; the Council of Black Political Organizations; the East San Fernando Valley Redistricting Coalition; Equality California; the Inland Empire African American Redistricting Coalition; the Latino Policy Forum; the League of Women Voters; the Mexican American Legal Defense and Educational Fund; the National Association for the Advancement of Colored People; the People's Advocate; the

San Joaquin County Citizens for Constitutional Redistricting; the Sierra Club; the Silicon Valley Leadership Group; the South Bay Committee for Fair Redistricting; the Tri-Cities – Fremont, Newark, Union City; the United Latinos Vote; the Valley Industry and Commerce Association; and the WARD Economic Development Corp.

- The Commission’s staff also received written comments, input and suggestions from more than 20,000 individuals and groups that contain information about their communities, shared interests, backgrounds, histories, and suggested guidelines for district boundaries, as well as recommendations to the Commission on the overall process of redistricting.
- The Commission held 23 public input hearings around the state before it issued a set of draft maps on June 10, 2011. Following a five-day public review period, the Commission held 11 more public input hearings around the state to collect reactions and comments about the initial draft maps.
- Beginning in June 2011, the Commission’s meetings were held at the University of the Pacific McGeorge School of Law in Sacramento. The Commission held six meetings in June and 16 meetings during July at this location, and continued to receive extensive public input via written submissions, e-mail, and live public comment. At each of its meetings the Commission allowed for public participation and comment. During the June and July meetings more than 276 people appeared and offered public comments to the Commission, various groups regularly attended and monitored the deliberations, and individuals and groups continued to offer written comments, maps, and suggestions.
- All of the Commission’s public meetings were live-streamed, captured on video, and placed on the Commission’s website for public viewing at any time. Stenographers were present at the Commission business meetings and meetings where instructions were provided to Q2 Data and Research, LLC, the company retained to implement the Commission’s directions and to draw the draft districts and final maps. Transcripts of meetings were also placed on the Commission’s website. Finally, all of the completed documents prepared by the Commission and its staff, along with all documents presented to the Commission by the public and suitable for posting were posted to the Commission’s website for public review.

Based on this extensive process, the Commission successfully met its mandate to hold open and transparent proceedings so that the public could participate thoroughly in the line drawing and redistricting process.

II. CRITERIA USED IN DRAWING MAPS

Article XXI of the California Constitution also establishes the legal framework for drawing new political districts in California every ten years. This framework establishes a number of map-drawing criteria in descending order of priority, starting with the United States Constitution, then the federal Voting Rights Act of 1965 (42 U.S.C. §§ 1973–1973(aa)(6)) (the “Voting Rights Act”), and then a set of traditional redistricting criteria.

As explained below, the Commission carefully adhered to these criteria throughout the line-drawing process. As a result, the Commission’s maps provide an opportunity to achieve effective and fair representation—precisely what the voters intended when they enacted Propositions 11 and 20. (See, e.g., Cal. Const., art. XXI, § 2(d)(4).)

A. The Framework: Article XXI of the California Constitution

Article XXI, section 1, provides that in the year following the year in which the national Census is taken, the Commission “shall adjust the boundary lines of the congressional, State Senatorial, Assembly and Board of Equalization districts (also known as ‘redistricting’) in conformance with the standards and process set forth in Section 2.” (Cal. Const., art. XXI, § 1.)

Section 2 of Article XXI, in turn, provides that the Commission shall “(1) conduct an open and transparent process enabling full public consideration of and comment on the drawing of district lines; (2) draw district lines according to the redistricting criteria specified in this article; and (3) conduct themselves with integrity and fairness.” (Cal. Const., art. XXI, § 2, subd. (b).)

Section 2 of Article XXI also establishes six specific criteria that the Commission must consider in drawing the new district maps. Specifically, subdivision (d) provides as follows:

The commission shall establish single-member districts for the Senate, Assembly, Congress, and State Board of Equalization pursuant to a mapping process using the following criteria as set forth in the following order of priority:

- (1) Districts shall comply with the United States Constitution. Congressional districts shall achieve population equality as nearly as is practicable, and Senatorial, Assembly, and State Board of Equalization districts shall have reasonably equal population with other districts for the same office, except where deviation is required to comply with the federal Voting Rights Act or allowable by law.
- (2) Districts shall comply with the federal Voting Rights Act
- (3) Districts shall be geographically contiguous.
- (4) The geographic integrity of any city, county, city and county, local neighborhood, or local community of interest shall be respected in a manner that minimizes their division to the extent possible without violating the requirements of any of the preceding subdivisions. A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and 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. Communities of

interest shall not include relationships with political parties, incumbents, or political candidates.

(5) To the extent practicable, and where this does not conflict with the criteria above, districts shall be drawn to encourage geographical compactness such that nearby areas of population are not bypassed for more distant population.

(6) To the extent practicable, and where this does not conflict with the criteria above, each Senate district shall be comprised of two whole, complete, and adjacent Assembly districts, and each Board of Equalization district shall be comprised of 10 whole, complete, and adjacent Senate districts.

(Cal. Const., art. XXI, § 2, subd. (d).)

Article XXI further states that the “place of residence of any incumbent or political candidate shall not be considered in the creation of a map. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.” (Cal. Const., art. XXI, § 2, subd. (e).)

Finally, Article XXI provides that “[d]istricts for the Congress, Senate, Assembly, and State Board of Equalization shall be numbered consecutively commencing at the northern boundary of the State and ending at the southern boundary.” (Cal. Const., art. XXI, § 2, subd. (f).)

B. The Six Redistricting Criteria Set Forth in Article XXI, Subdivision (d), of the California Constitution

Each of the six enumerated criteria that the Commission considered in drawing the new political maps, as well as the specific decisions that the Commission made in light of these criteria, require further elaboration, described below.

1. Criterion One: The United States Constitution

The Commission’s highest ranking criterion is to comply with the United States Constitution. (Cal. Const., art. XXI, § 2, subd. (d)(1).) This priority reflects the federal Constitution’s Supremacy Clause: “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.” (U.S. Const., art. VI, cl. 2.)

One aspect of federal constitutional compliance in the redistricting context is “population equality,” also known as adherence to the principle of “one person, one vote.” (See Cal. Const., art. XXI, § 2, subd. (d)(1) [“Congressional districts shall achieve population equality as nearly as is practicable, and Senatorial, Assembly, and State Board of Equalization districts shall have reasonably equal population with other districts for the same office, except where deviation is required to comply with the federal Voting Rights Act or allowable by law.”].) Another consideration for purposes of redistricting, although not mentioned specifically in Article XXI, is

compliance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

i. Population Equality

The United States Constitution requires that any redistricting plan must achieve population equality among electoral districts. (See U.S. Const., art. I, § 2 [“The House of Representatives . . . shall be apportioned among the several States which may be included within this Union, according to their respective numbers.”]; see also *Reynolds v. Sims* (1964) 377 U.S. 533, 568 (*Reynolds*) [“[T]he Equal Protection Clause [of the Fourteenth Amendment] requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis.”].)

As the United States Supreme Court has explained, an individual’s right to vote for state or federal legislators may be unconstitutionally impaired when the weight of that vote is diluted, as compared with the votes of citizens living in other parts of the state (see, e.g., *Reynolds, supra*, 377 U.S. at p. 568), or of the United States (see, e.g., *Kirkpatrick v. Preisler* (1969) 394 U.S. 526, 530–531 (*Kirkpatrick*)).

Notably, different bases and standards govern population equality for U.S. congressional districts, on the one hand, and state legislative districts (Assembly and Senate) and districts for state entities such as the Board of Equalization, on the other.

a. U.S. Congressional Districts

With respect to congressional districts, the U.S. Supreme Court has imposed a *strict* standard of population equality. Indeed the “fundamental goal for the House of Representatives . . . requires that the State make a good-faith effort to achieve precise mathematical equality.” (*Kirkpatrick, supra*, 394 U.S. at pp. 530–531 [rejecting reapportionment plan where the average variation from the population ideal among districts was 1.6%]; see also *Karcher v. Daggett* (1983) 462 U.S. 725, 739–743 (*Karcher*) [rejecting reapportionment plan where the average variation from the population ideal among districts was .1384%].)

Nonetheless, recognizing that “[p]recise mathematical equality . . . may be difficult to achieve in an imperfect world,” the U.S. Supreme Court has explained that the population equality “standard is enforced only to the extent of requiring that districts be apportioned to achieve population equality *as nearly as is practicable*.” (*Karcher, supra*, 462 U.S. at p. 730, italics added, internal quotation marks and citation omitted.) The “as nearly as practicable” standard is mirrored in Article XXI of the California Constitution, which states that “Congressional districts shall achieve population equality as nearly as is practicable.” (Cal. Const., art. XXI, § 2, subd. (d)(1).)

Although the U.S. Supreme Court has theoretically recognized the practical need to deviate from strict population equality in congressional redistricting, the circumstances under which a state is permitted to do so are limited. Any deviation, no matter how small, must either be unavoidable or necessary to achieve a nondiscriminatory legislative policy. (See *Karcher*,

supra, 462 U.S. at pp. 740–741; see also *Kirkpatrick, supra*, 394 U.S. at p. 530 [rejecting contention “that there is a fixed numerical or percentage population variance small enough to be considered *de minimis* and to satisfy without question the [population equality] standard”].) Whether a nondiscriminatory legislative policy justifies a deviation depends on case-specific circumstances such as “the size of the deviations, the importance of the State’s interests, the consistency with which the plan as a whole reflects those interests, and the availability of alternatives that might substantially vindicate those interests yet approximate population equality more closely.” (See *Karcher, supra*, 462 U.S. at pp. 740–741.)

In strict compliance with these standards, the Commission’s congressional district maps achieved a total deviation of +/- 1 person. Specifically, 20 of the 53 congressional districts achieved the ideal population of 702,905 persons. Twelve of the 53 districts achieved a population of 702,906 persons, or one person more than the ideal. Twenty-one of the 53 districts achieved a population of 702,904 persons, or one person less than the ideal.

b. State Legislative and Board of Equalization Districts

With respect to population equality in state districts, the U.S. Supreme Court has afforded states “[s]omewhat more flexibility” than what is permitted in Congressional redistricting. (*Reynolds, supra*, 377 U.S. at p. 578.) Unlike the population-equality requirement for congressional districts, which is based on Article I, section 2 of the U.S Constitution, the population-equality requirement for state legislative districts is derived from the Equal Protection Clause of the Fourteenth Amendment. (See *id.* at p. 568.)

“[A]s a general matter, . . . an apportionment plan with a maximum population deviation under 10% falls within [a] category of minor deviations” insufficient to “make out a prima facie case of invidious discrimination under the Fourteenth Amendment.” (*Brown v. Thompson* (1983) 462 U.S. 835, 842, quoting *Gaffney v. Cummings* (1973) 412 U.S. 735, 745.) Yet drawing state legislative districts that fall within a 10% maximum deviation does not provide a “safe harbor” from any constitutional challenge. (See *Larios v. Cox* (N.D.Ga. 2004) 300 F.Supp.2d 1320 (*Larios*), *affd.* (2004) 542 U.S. 947 [affirming district court decision holding that state redistricting plan with total deviation under 10% nonetheless violated population equality requirement].)

Because there is no safe harbor, any degree of population deviation among state legislative districts must be supported by consistently applied and legitimate state interests. (See *Reynolds, supra*, 377 U.S. at p. 579 [“So long as the divergences from a strict population are based on legitimate considerations incident to the effectuation of a rational state policy, some deviations from the equal-population principle are constitutionally permissible with respect to the apportionment of seats in either or both of the two houses of a bicameral state legislature.”].) A state must justify deviations as “further[ing] legitimate state interests such as making districts compact and contiguous, respecting political subdivisions, maintaining the cores of prior districts, and avoiding incumbent pairings.” (*Larios, supra*, 300 F.Supp.2d at pp. 1337–1338.) Moreover, a state must apply the justifications for deviation in a nondiscriminatory and consistent manner. (See *id.* at pp. 1341–1342 [holding that a redistricting scheme was “baldly unconstitutional” where the “deviations were created to protect incumbents in a wholly inconsistent and discriminatory way”].)