

A Commissioner's Perspective on California's Redistricting

By Connie Galambos Malloy

When Californians voted to create the nation's first independent Citizens Redistricting Commission charged with drawing Assembly, Senate, Board of Equalization, and Congressional districts, it was with the hope of ending the partisan gerrymandering of the past. Speaking as one of the 14 Commissioners, I believe we have delivered on that promise—against all odds.

We had less than eight months to bring 14 strangers from diverse backgrounds together, hire staff and consultants, develop and conduct an extensive public outreach process, draw 177 individual district maps that incorporated complex legal and technical analysis, compose an extensive narrative report, and certify the maps with a multipartisan vote. And it was done—on time and under budget. The maps were produced through a transparent process: deliberations were conducted and decisions about boundaries made in public, streamed live with transcripts, and archived online. And although the process was called redistricting, it really should have been called “districting” because the Commission consciously chose not to tweak existing districts with their flawed political baggage, but to start from scratch using its constitutionally approved criteria.

As the youngest Commissioner and one of only two with small children, the public service commitment was grueling beyond my wildest imagination. I can remember one Tuesday morning when I woke up, packed my one-year-old son in the car, and drove five hours to a public hearing that lasted until midnight. The next day, I woke up and drove three hours, and did it all over again. And then again. While most Commissioners spent their daily stipend on sightseeing, I spent it on childcare at the hands of strangers!

A Peek Into Hidden California

The Commission heard testimony from an incred-

ibly diverse cross-section of the state that was important to how the maps were drawn. From Salinas to Culver City, from Hanford to San Bernardino, thousands of people attended 34 public hearings at which, over 2,700 individuals provided input. Tens of thousands of others put their thoughts in writing, maps, and even poetry.

As we traveled across the state, I was forced to confront the new socio-demographic reality of California. While Marysville claims significant Hmong and Latino populations in its Census, it was possible to spend 24 hours in the town's prominent public places with minimal contact with either group. At a Latino community center in San Jose with deep roots in the Cesar Chavez legacy, aggressive Tea Party organizing chilled the air, cleared the room, and compelled us to call in extra security. In the Coachella Valley, speaker after speaker insisted the area was an exclusive resort community, but even a minor detour off the beaten path revealed migrant farm worker encampments. In the Antelope Valley, I remember the lone African American person at the Commission's Input Hearing, who later explained to me that we had chosen a location on the side of the railroad tracks that many in his social circle knew to avoid.

Playing it Strictly by the Rules

When it came to drawing the districts, the Commission followed the criteria set forth in the Voters First Act—in ranked order: (1) We complied with the U.S. Constitution—one person, one vote; (2)

The districts were designed to comply with the Voting Rights Act, ensuring an equal opportunity for minorities to elect a candidate of their choice; (3) We made the districts geographically contiguous; (4) Wherever possible, we kept cities, counties, neighborhoods, and communities of interest whole; (5) Our districts are compact and do not bypass nearby communities for more distant ones; (6) Where practical, without violating other criteria, we nested or blended so that Senate districts were comprised of two whole Assembly districts and Board of Equalization districts comprised of 10 Senate districts; (7) The Commission never considered incumbents, political candidates, or political parties when drawing districts.

In fact, current analysis shows scores of candidates drawn out of their districts or more than one incumbent within a district. The 2012 elections—with the combined impact of redistricting and the new top two primary system—may bring significant changes across the state and in the long run, create opportunities for new leadership.

The new political maps are superior to their predecessors from a standpoint of both process and outcome, which is “fair and effective” political representation. The public has never had a seat at the redistricting table before, or a chance to weigh in on the process at so many stages—before and after the draft visualizations. Naturally, public expectations have been high and there is some disappointment that individual requests were not realized—an impossibility in a geographically and demographically diverse state like California. As an Oaklander, I had to constantly challenge myself to make decisions as a “Californian” entrusted with balancing the interests of the entire state—not just my part of the universe. The process involved intense negotiations across party lines and the result, understandably, is a compromise. The new map is not aggressive on behalf

of any one constituent group, nor is it one that any of us personally would have created, but it represents an equitable balance to voters across the state.

Court Finds Maps in Compliance

In keeping with past redistricting tradition, there has been litigation. Two groups filed suit against the Commission’s maps. But on October 26, the California Supreme Court unanimously dismissed the suits affirming that the Commission had followed the Constitution, the Voting Rights Act, and the Voters First Act. After failing in state court, one of the same groups filed litigation in U.S. Federal Court over the state Senate maps. Signatures for a ballot measure to overturn the state Senate maps were also submitted to the state and the verification process is currently underway. It is unclear whether it will qualify for the November 2012 ballot.

As I continue to travel around the state, one thing is clear, the public has fully embraced this new redistricting process and now citizens are demanding the same level of transparency and public input at the county and city levels. I can only hope that California’s precedent-setting, citizen-led experiment in redistricting sets the standard for the nation in the decade ahead. ■

Photo:

Gabino Aguirre (right) of the California Citizens Redistricting Commission talks about the map's first draft at a Capitol news conference on June 10.

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