



Redistricting CA Conference
Los Angeles Equestrian Center, Burbank, California
December 15, 2009

Taking the Reins Workshop
In-Depth Review of the Application and Selection Process

Criteria for Selecting “Most Qualified Applicants”

§ 60800. Ability to Be Impartial

(a) “Ability to be impartial” means that although an applicant may have strong views, and may have participated in social or political causes, the applicant has the capacity and willingness, while serving as a member of the commission, to set aside his or her personal views and all of the following considerations in order to evaluate information with an open mind and make decisions that are fair to everyone affected, including, but not limited to, the establishment of legislative and State Board of Equalization districts that are in compliance with the United States Constitution, the Voting Rights Act of 1965 (commencing with section 1971 of title 42 of the United States Code), and the criteria set forth in subdivision (d) of section 2 of Article XXI of the California Constitution:

- (1) Personal interests including, but not limited to, personal financial interests.
- (2) Biases for or against any individuals, groups, or geographical areas.
- (3) Support for or opposition to any candidates, political parties, or social or political causes.

(b) An applicant may demonstrate an ability to be impartial through a description of that ability and both of the following:

(1) Having no personal, family, financial relationships, commitments, or aspirations that a reasonable person would consider likely to improperly influence someone making a redistricting decision.

(2) Occupational, academic, volunteer, or other life experiences that show an ability to set aside his or her personal interests, political opinions, and group allegiances to achieve a broad objective.

[Note: Authority cited: *Section 8546, Government Code*. Reference: *Section 8252, Government Code*.]



Criteria for Selecting “Most Qualified Applicants,” cont’d.

§ 60805. Appreciation for California’s Diverse Demographics and Geography

(a) “Appreciation for California’s diverse demographics and geography” means all of the following:

(1) An understanding that California’s population consists of individuals sharing certain demographic characteristics that may reflect their preferences concerning political representation, including, but not limited to, race, ethnicity, gender, sexual orientation, and economic status.

(2) An understanding that the people of California reside in many different localities with distinct geographic characteristics that may reflect the preferences of the residents concerning their political representation, including, but not limited to, urban, suburban, rural, industrial, agricultural, coastal, inland, arid, and temperate.

(3) A recognition that California benefits by having effective participation in the electoral process by persons of all demographic characteristics and residing in all geographic locations, including, but not limited to, participation by those persons who in the past, as a consequence of sharing certain demographic characteristics, such as race and ethnicity, have had less opportunity than other members of the electorate to participate in the electoral process.

(b) An applicant may demonstrate an appreciation for California’s diverse demographics and geography through a description of that appreciation and through occupational, academic, volunteer, or other life experiences that show this appreciation, such as:

(1) Working on one or more projects that involve or affect Californians having different backgrounds or residing in different areas, and therefore having differing interests, yet achieving results that are acceptable to these different Californians.

(2) Studying the voting behavior of Californians in various areas of the state for the purpose of improving the effectiveness of the electoral process.

(3) Traveling throughout California and meeting with people having different backgrounds, in order to recruit them for employment or some other endeavor, or to build consensus on some issue or idea.

[Note: Authority cited: *Section 8546, Government Code*. Reference: *Section 8252, Government Code*.]



Criteria for Selecting “Most Qualified Applicants,” cont’d.

§ 60827. Relevant Analytical Skills

(a) “Relevant analytical skills” means the learned abilities that a commissioner may need to successfully complete the work of the commission.

(b) Abilities related to performing the following tasks shall be considered relevant analytical skills: gathering and comprehending information that bears upon redistricting; evaluating the validity and significance of the information gathered by the commission in order to make sound decisions about the proper placement of communities in districts; applying the appropriate legal standards, including, but not limited to, the United States Constitution and the Voting Rights Act of 1965 (commencing with section 1971 of title 42 of the United States Code), to drawing district boundaries; and working effectively as a member of a group to promote redistricting decisions that are factually and legally defensible and that the commission can agree upon.

(c) The following are examples of relevant analytical skills grouped according to the tasks listed in subdivision (b):

(1) Gathering and comprehending information that bears upon redistricting:

(A) An ability to read and understand dense and technical written materials, including, but not limited to, maps and statistical information.

(B) An ability to participate effectively in public hearings regarding redistricting by listening carefully and critically to the testimony of witnesses and formulating concise questions that will elicit relevant information.

(2) Evaluating the validity and significance of the information gathered by the commission in order to make sound decisions about the proper placement of communities in districts:

(A) Basic mathematical skills.

(B) Familiarity with using computers and working with software programs such as spreadsheet programs, mapping websites or programs, or word processing programs.



(C) An ability to assess the credibility of information provided by staff, consultants, and members of the public, distinguish facts from opinions, distinguish relevant facts from irrelevant facts, and assess the relative strength of competing arguments.

(D) An ability to resolve complex problems, particularly those involving factual ambiguities as may arise when all of the relevant facts are not apparent or when there are conflicting claims about the facts.

(3) Applying the appropriate legal standards to drawing district boundaries:

(A) An ability to understand the legal principles that govern redistricting as communicated through written materials and advice provided by the commission's legal counsel.

(B) An appreciation for the importance of applying proper legal standards to redistricting decisions.

(4) Working effectively as a member of a group to promote redistricting decisions that are factually and legally defensible and that the commission can agree upon:

(A) Effective communication skills, including, but not limited to, basic writing skills.

(B) An ability to interact effectively with other commissioners to build consensus on proposed decisions through reasoned discussion and negotiation.

(d) An applicant may demonstrate his or her possession of relevant analytical skills through a description of those skills and through occupational, academic, volunteer, or life experiences such as:

(1) Compiling information from a variety of sources, including, but not limited to, statistical reports, expert opinions, and members of the public to develop an understanding of an issue or problem.

(2) Assessing the value of information received from various sources to determine how much weight should be given to certain information versus other information when making a decision concerning an issue.

(3) Receiving expert advice, particularly of a legal nature, and applying that advice to decisions.

(4) Participating in group decision-making as a member of a commission, board, grand jury, task force, or other collection of individuals whose mission was to produce a report, plan, or other work product addressing some issue or problem.