

August 11, 2020

RE: A More Independent Redistricting Process for LA

Dear Honorable City Councilmembers,

We are writing to encourage the Los Angeles City Council to move towards a more independent, transparent, and accessible redistricting process. With trust in LA City Hall waning, we cannot afford a repeat of previous redistricting efforts which not only divided communities and resulted in litigation, but further entrenched fierce divisions within City Council. The decision to consolidate nearly all of Downtown LA into District 14 has come under renewed focus in light of recent corruption investigations.¹

The City of LA has been left behind as the State of California, Los Angeles County, and nearly every major city in the state has adopted a truly independent redistricting process. The conflict of interest with politicians essentially choosing their voters is only heightened as the City of LA adjusts to the transformational change of moving our elections into alignment with State/County elections, resulting in three to five times the turnout experienced in the last 20 years.

The City of Los Angeles's redistricting commission is only advisory, and its members are directly appointed by elected officials.² While moving towards a truly independent redistricting process would require a charter change, there are a number of potential changes that can be made that can make LA City's redistricting process fairer, more transparent, and inspire greater trust from LA voters.

We encourage City Council to make the following changes:

1. **The Appointment Process:** The Charter does not provide for a specific appointment process. Past practice has been for elected officials to submit

¹ "How Jose Huizar's Alleged Crimes were aided by redistricting" Former Councilmembers Jan Perry and Bernard Parks.

<https://www.latimes.com/opinion/story/2020-08-10/op-ed-how-jose-huizars-alleged-crimes-hay-have-been-aided-by-redistricting>

² The Commission is appointed in the following manner as provided by Charter Section 204: One by each Council member except that the Council President shall appoint two members, three by the Mayor, one by the City Attorney, and one by the Controller.

their appointment via a letter. Appointees should be required to include a brief form detailing their qualifications and demographic information and including a disclosure of any conflicts of interest and relationships with sitting Councilmembers.

2. **Timing:** The Charter requires redistricting commission members to be appointed no later than when Census data is released. The current implementation plan requires the Commission to be seated by next month, months before that deadline. More time should be granted for City Councilmembers and Citywide officials to make a thoughtful decision about their appointee. Additionally on the subject of timing, the commission should be granted sufficient time to hold public meetings, solicit community input, draft maps, and deliver their proposed map to City Council. While changes to the elections calendar and the timeline for Census data release are currently pending, the commission should be granted at least 2-3 months after the release of Census data to carry out its work before issuing a report to Council.
3. **Removal process:** The Charter provides no guidance on removal of redistricting commissioners, and past practice has allowed the appointing authority to remove them at will, which significantly undermines the independence of commissioners. Removal should require a majority vote of the redistricting commission.
4. **Independent Staffing:** Staff for the commission should be screened for conflicts of interest before hiring - any ongoing work or recent work on behalf of a political party, incumbent City Council member, or City-level political candidate should be disqualifying. Just as city officers and employees are prohibited from serving on the redistricting commission, current/recent city officers and employees should be prohibited from serving as Director or support staff.
5. **Independent Counsel:** Under current plans, the City Attorney would advise the commission in its work. The City should follow the example of the California Citizens Redistricting Commission and grant the commission the ability to hire independent legal counsel who is not an elected official in the City of Los Angeles and thus does not have an inherent conflict of interest in the redistricting process.
6. **Ban Ex Parte Communications:** The city should embrace the California Citizens Redistricting Commission's practice of prohibiting ex parte

communications, ensuring that commissioners are not being influenced by back channel conversations.

7. **Drawing the Lines Publicly:** The map-drawing process should maximize transparency and public participation, in contrast to the process 10 years ago.³ Draft maps should be presented to the public multiple times throughout the process, accompanied by statements identifying who drafted them and what their rationale was for the district boundaries included. Public comment should be accepted on draft maps online, by phone, in writing, and verbally at public hearings.
8. **Notice Requirements for Meetings:** The Brown Act only requires 3 days notice for meetings. To ensure accessibility and public participation, the commission's meetings should follow the California Citizens Redistricting Commission example of providing 14 days of notice for any meeting meant for the submission of public testimony about district lines.⁴
9. **Ad Hoc Redistricting Committee:** Council has authority in determining which committee handles the recommendations of the redistricting commission. Last cycle this was left to the Rules Committee, while in the previous cycle a five-member Ad Hoc Redistricting Committee heard the recommendations. Council should ensure a larger and more representative committee of Councilmembers can weigh in during this critical period.
10. **Language Access:** All redistricting materials should be made available in all languages in which ballots are available in Los Angeles County.

If done well, the City of Los Angeles's redistricting process can encourage greater public participation and civic engagement and restore public trust in City Hall. If done poorly or with manipulation behind the scenes by those in power, the City of Los Angeles's redistricting process will deepen cynicism and distrust.

The legal requirements of AB 849 (Bonta, 2019) will mandate some degree of public outreach, transparency, and fairness in the line-drawing process. Given this unprecedented moment in Los Angeles city politics, we believe the City Council

³As noted in the minority report, initial maps were drawn by 3 fragmented regional committees designed to evade public scrutiny and "this was done expressly to attempt to avoid triggering the Brown Act and thereby prevent the public from giving public input during the initial line-drawing process." Page 8 of the Ahn, Anderson, Kim, & Roberts Minority Report. These concerns were echoed in Commissioner Downey's Minority Report.

⁴ Cal. Gov. Code Section 8253(a)(1). "The commission shall provide not less than 14 days' public notice for each meeting held for the purpose of receiving public input testimony."

should go further and implement the recommendations above. Finally, we hope the Council will consider moving to a fully independent redistricting process in 2030.

Thank you for your consideration.

Respectfully,

Asian Americans Advancing Justice - Los Angeles (AAAJ)

CA Clean Money Campaign

CA Common Cause

Ground Game LA

LA Forward

Represent.Us LA-SGV

Unrig LA

-Additional Signers Pending