

From: [Rosalind Gold](#)
To: [Shape California's Future](#)
Cc: [Jacqueline Coto](#)
Subject: NALEO Educational Fund comment on selection of final six Commissioners by initial eight
Date: Wednesday, July 8, 2020 2:16:21 PM
Attachments: [NEF - Letter to first eight Commissioner regarding selection of final 6 fin 07-08-2020.pdf](#)

Dear Colleagues:

On behalf of the NALEO Educational Fund, we congratulate the first eight members of California's 2020 Citizens Redistricting Commission.

Attached is our letter urging these Commissioners to select the remaining six in accordance with the provisions of law which require they be chosen to ensure that the full Commission reflects California's diversity. Given that California's Latino community comprises nearly 40% of the state's population, we highlight the absence of any Latinos on the Commission so far, and note the need for Commissioners to take into account the partisan diversity of the state's Latino electorate in making the choices for the remaining six.

Please let me know if you have any questions on the attached letter, and we look forward to continuing our work together.

Sincerely,

Rosalind Gold

Chief Public Policy Officer

NALEO Educational Fund

1122 W. Washington Blvd., 3rd. Floor

Los Angeles, CA 90015

T: 213.747.7606 Ext. 120

F: 213.747.7664



NALEO Educational Fund is the leading nonprofit organization that facilitates full Latino participation in the American political process, from citizenship to public service.



July 8, 2020

FOUNDER EMERITUS

Hon. Edward R. Roybal †

BOARD OF DIRECTORS

CHAIR

Hon. Mara Candelaria Reardon
Indiana State Representative

TREASURER

Mr. Rick R. Olivarez, Esq.
Partner,
Olivarez Madruga Lemieux O'Neill, LLP

SECRETARY

Ms. Michelle Mancias, Esq.
Assistant VP and Counsel,
State Farm

Mr. Ruben Barrales
SVP of External Relations,
Government Relations and Public Policy,
Wells Fargo & Company

Hon. John Duran
Councilmember,
City of West Hollywood, CA

Hon. Diego Espinoza
Arizona State Representative

Hon. Bonnie Garcia
National Director of Legislative Affairs,
ecoATM-Gazelle

Mr. Emilio Gonzalez
Executive Director of Public Policy
& Strategic Initiatives,
Verizon

Hon. Mary González
Texas State Representative

Hon. Ricardo Lara
NALEO President,
California Insurance Commissioner

Hon. Pauline Medrano
Dallas County Treasurer, TX

Hon. Peggy L. Muller-Aragón
NALEO Board Representative,
School Board Member,
Albuquerque Public Schools

Hon. Alejandra Sotelo-Solis
Mayor,
City of National City, CA

Hon. Carlos E. Tobon
Rhode Island State Representative

Mr. Joseph "Pep" Valdes
EVP and Director of
New Business Development,
Parking Company of America

CHIEF EXECUTIVE OFFICER

Mr. Arturo Vargas

†deceased

California Citizens Redistricting Commissioners-Select
c/o California State Auditor
621 Capitol Mall, Suite 1200
Sacramento, CA 95814

Dear Commissioners-Select:

On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, congratulations on your selection as the first eight Commissioners for the 2020 Citizens Redistricting Commission (CCRC). We are also writing to underscore your obligation to comply with Section 8252(g) of the Government Code, which requires the initial eight Commissioners choose the final six Commissioners "to ensure the Commission reflects this state's diversity, including, but not limited to, racial, ethnic, geographic, and gender diversity." Given that the selection process for the first eight Commissioners did not result in any Latinos being selected, and given the size and partisan diversity of California's Latino population, we believe the requirements of Section 8252(g) will only be met if at least one Latino is chosen to serve in each of the three political affiliation groups on the CCRC (Democrat, Republican, not affiliated with either of the two foregoing parties). Even so, this minimum level of representation would still not result in a CCRC that fully reflects the partisan diversity of the Latino electorate. It would be more effective to reflect the diversity of the California's Latino population if up to five of the remaining Commissioners selected were Latino.

NALEO Educational Fund is the nation's leading nonprofit organization that facilitates the full participation of Latinos in the American political process, from citizenship to public service. Our Board members include Republicans, Democrats, and Independents. NALEO Educational Fund has actively promoted policies to ensure that Latinos can fully participate in the redistricting process, and that the resulting maps provide Latinos with fair opportunities to elected candidates of their choice.

After the enactment of the Voter's First Act, the measure that created the CCRC, NALEO Educational Fund worked with the State Auditor's office on the development and implementation of the selection process and the related regulations. Before the first redistricting conducted by the CCRC (2010-2011) and during the recent CCRC application process, the NALEO Educational Fund encouraged qualified Latino civic leaders to apply to serve on the CCRC, and provided technical assistance with the application process. During the first CCRC redistricting, NALEO Educational Fund also mobilized Latino residents to participate in the redistricting process by attending hearings and submitting testimony. In addition, our organization also reviewed the CCRC's maps, and provided feedback throughout the line-drawing process. NALEO Educational Fund also mobilized Latinos to participate in the 2011 redistricting of the Los Angeles Unified School District. We intend to conduct similar activities in the upcoming redistricting cycle.

Latinos are California's largest population group, accounting for nearly 40% of the state's population. They are nearly one-third of the state's voting-age citizens, and according to April 2020 voter file data, they comprise 27% of the state's registered voters. Without a dramatic increase in Latino representation on the CCRC once the

final six members are drawn, the CCRC will simply fail to reflect California's ethnic diversity – a failure which will violate the provisions of the Voter's First Act.

We note that Latinos were never fully represented in each stage of the application process, and we consistently advocated that each pool of applicants be selected to reflect the diversity of the state's population. This lack of representation should not be an excuse for the failure of the CCRC to ultimately fully reflect California's diversity – as noted below, the Voter's First Act recognizes this possibility, and places the responsibility for rectifying it on the first eight Commissioners when making the selection of the final six.

Moreover, Latinos have been in the overall applicant pool and in each of the three political affiliation pools during each of the stages of the application process. According to data from the State Auditor's Office, as of April 30, 2020, the overall pool of applicants was 18% Latino, with Latinos comprising 25% of the Democrats, 13% of the Republicans, and 15% of the applicants not affiliated with either of the major political parties. When the State Auditor's Applicant Review Panel reduced the applicant pool to 60, this pool was overall 23% Latino, with Latinos comprising 40% of the Democrats, 17% of the Republicans, and 15% of the applicants not affiliated with either of the major political parties.

The applicant strikes by the California legislative leadership further reduced the Latino presence in some of the pools from which the random drawing occurred, and the random drawing process ultimately resulted in no Latinos serving on the CCRC so far. For example, after the legislative strikes, while Latinos comprised 17% of the remaining Republicans, they were 36% of the remaining Democrats,¹ and only 8% of those not affiliated with either political party.

Throughout the Voter's First Act, there are provisions which highlight the importance of a CCRC which fully reflects the diversity of California. The Act sets forth a provision in the California Constitution requiring that the CCRC's selection process be designed to produce a Commission that is "reasonably representative of this State's diversity." Section 8252(a)(1) of the Government Code requires the State Auditor to initiate an application process in a manner that "promotes a diverse and qualified applicant pool." In Section 8252(d) of the Government Code, when creating the three subpools of 20 applicants from which the Commissioners will be ultimately chosen, the ARP must create the pools on the basis of certain applicant qualifications, including an "appreciation for California's diverse demographics and geography." Finally, in recognition that the foregoing process as a whole might not achieve the diversity needed, Section 8252(g) of the Government Code requires the initial eight Commissioners choose the final six Commissioners to ensure the CCRC reflects the state's diversity.

According to April 2020 voter file data, Latinos comprise a significant share of the state's Democrats (32%), Republicans (15%) and those not affiliated with either political party (28%). Thus, when making the selection of the final six Commissioners, the first eight must take into account the partisan distribution of the Latino electorate to ensure that the CCRC fully reflects the diversity of California's Latinos. We believe that there must be at least one Latino chosen for seats in each of the three political affiliation groups on the CCRC, although we note this minimum level still would not result in a CCRC that fully represents the diversity of the Latino electorate. It would be more effective to reflect the diversity of the California's Latino population if up to five of the remaining Commissioners selected were Latino. In this connection, we emphasize that there are well-qualified

¹ One Democrat had withdrawn from the process, leaving only eight Democrats in the applicant pool after the legislative strikes.

Latinos in each of the remaining political affiliation applicant pools from which the CCRC will make its final selections.

Lack of Latino representation on the CCRC is unacceptable for the future of our California's democracy. It would severely undermine the goals of the Voter's First Act, and fair redistricting in California, which is the bedrock of our representative government. It would prevent talented Latino civic leaders from sharing their expertise on the CCRC. It would diminish confidence of all Californians in the work of the CCRC, and ultimately, in the accountability and responsiveness of our democracy.

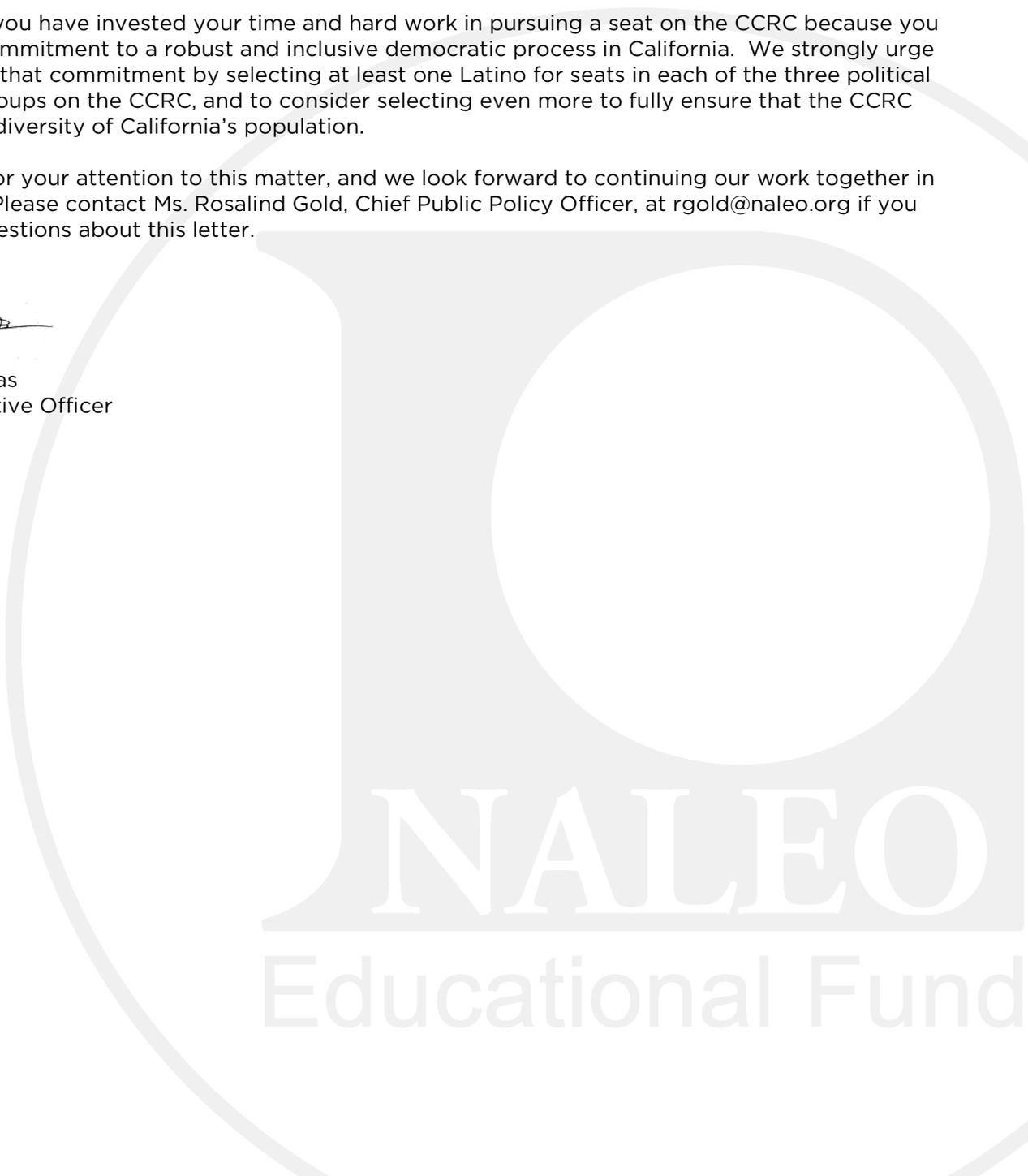
We believe you have invested your time and hard work in pursuing a seat on the CCRC because you share our commitment to a robust and inclusive democratic process in California. We strongly urge you to fulfill that commitment by selecting at least one Latino for seats in each of the three political affiliation groups on the CCRC, and to consider selecting even more to fully ensure that the CCRC reflects the diversity of California's population.

Thank you for your attention to this matter, and we look forward to continuing our work together in the future. Please contact Ms. Rosalind Gold, Chief Public Policy Officer, at rgold@naleo.org if you have any questions about this letter.

Sincerely,



Arturo Vargas
Chief Executive Officer



NALEO
Educational Fund