



The California Citizens Redistricting Commission: Fair Maps, Voting Rights, and Diversity

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EXECUTIVE SUMMARY AND KEY FINDINGS

- We examine racial and ethnic diversity in the California Citizens Redistricting Process.
- In 2020, from the completed application stage to the selection of 60 finalists for the commission, the Asian-American applicant proportion increased by 14.2 percentage points; and the Latino/a applicant proportion increased by 9.9 percentage points. Prior to this, though, there were lower proportions of Asian-American and Latino/a applicants relative to the California voting-eligible population and state population.
- California legislative leaders' ability to strike 24 of the 60 finalists led to a numerical decline in Latino/a finalists. Had the legislature not struck 7 of 14 Latino/a finalists, the random draw choosing the first eight commissioners would likely have resulted in at least 1, if not more, Latino/a commissioners among the first 8.
- 62.5% of the first eight chosen are people of color. However, no Latino/a Californians were chosen among the first eight commissioners. The new partially-formed commission has three African-American members, a historic high for a California redistricting commission; two Asian-American members; and three white members. There are four women and four men in the first eight. Two commissioners also identify as LGBTQ.
- The first eight commissioners are required by law to consider diversity imbalances in selecting the final six commissioners. The Commission will add 6 final members by August 15, and has an opportunity and is likely to appoint Latino/a commissioners to the final 14.
- The Voters First Act establishing the Commission requires diversity as a consideration in drawing the maps. We analyze the California state legislature and congressional delegation under the commission-drawn map used from 2012 to 2020. We also evaluate the diversity of legislators elected under the legislative-drawn map from a decade prior. The commission-drawn map had greater racial and ethnic diversity among legislators.
- The Commission map doubled the percentage of Latino/a and Asian-American members of the U.S. House delegation from California over the last decade's legislative-drawn map.
- The Commission state legislative maps increased the percentage of Latino/a, African-American, Asian-American state legislators over the last decade's legislative-drawn map.

Policy recommendations

- 1. Choose the next 6 commissioners carefully, and address demographic imbalances, including the absence of Latino/a commissioners. In particular, we strongly recommend appointing multiple Latino/a commissioners.*
- 2. Greater transparency in the legislative striking of applicants is needed and encouraged. Or consider removing the legislative strikes provision from the process in subsequent commission appointments.*
- 3. The selection of Redistricting Commissioners could be block randomized by race and ethnicity as well as by political party; instead of only the current randomization within partisan groups.*
- 4. Redistricting Commissions must carefully evaluate voting rights, communities of interest, and the ability to elect candidates of choice in drawing legislative lines for 2022.*
- 5. The Commission must seek public comment and engage in outreach.*
- 6. The state must encourage a greater diversity of applications when hiring consultants responsible for generating enthusiasm among the state's populace to apply to the commission.*
- 7. Use traditional redistricting principles such as drawing lines around communities of interest.*

In this policy report, we examine three major points related to the California Redistricting Commission. First, we analyze the levels of diversity in the 2020 Redistricting Commission process, with particular emphasis on African American, Latino/a, and Asian-American/Pacific Islander (AAPI) representation. We analyze data describing the racial and ethnic demographics of this year's applications compared to application levels in 2010. We identify the key points where diversity was both improved and reduced during the selection process, as well as steps that can still be taken to improve diversity on the Commission and in the 2022 redistricting process. We find that the Bureau of Audits' Applicant Review Panel increased racial and ethnic diversity, especially for Asian-American and Latino/a applicants. We also find that the ability of legislative leaders to strike applicants resulted in a meaningful numeric reduction in Latino applicants prior to the random draw of the first 8 of 14 commissioners.

Next, we examine the levels of descriptive representation in the California Legislature and the congressional delegation pre- and post-creation of the commission. Voters passed the Voters First Act in 2008 and 2010, creating an independent redistricting commission to redraw district lines for the U.S. House, the state legislature, and the Board of Equalization. Here, we show that the descriptive representation of African Americans, Latino/as and Asian-American and Pacific Islanders increased since the adoption of the redistricting commission maps. There is no evidence to suggest that minority representation has diminished as a result of the independent commission drawing the lines rather than the Legislature, and in fact the percentage of African-American, Latino, and AAPI legislators increased after California's first independent commission map was drawn for the 2012 to 2020 elections relative to the previous map drawn by the state legislature in 2002.

Third, we make several conclusions regarding enhancing racial and ethnic diversity around independent redistricting commissions; and in regards to voting rights and the protection of communities of interest in the redistricting process generally. We note how California's selection process of the commission is intended to make sure that the body is diverse in terms of racial, ethnic, and gender representation. Every effort needs to be made to make that a reality once again this year. We focus on the issues of voting rights, communities of interest, and diversity as central criteria in the selection of the commission as well as its work in drawing new lines.

Finally, we make several policy recommendations for the remainder of the redistricting process to engage with communities of interest, promote diversity, and follow the guidelines set forth in state law so that Californians are included and represented in future elections. Some of these policy recommendations will likely be of interest to those adopting commissions in other states; or to those drawing electoral lines in California who are interested in drawing fair maps, protecting minority voting rights, and engaging in redistricting that protects traditional redistricting criteria and the drawing of lines around communities of interest.

I. Racial and Ethnic Diversity in the 2020 Selection of the First 8 of 14 Commissioners on the California Citizens Redistricting Commission: What Happened?

The California Citizens Redistricting Commission was backed by a bipartisan coalition of supporters and passed via ballot proposition by voters in 2008 and 2010. The commission is an independent group of 14 commissioners that redraw California's state legislative, U.S. House, and Board of Equalization districts following every decennial Census.

In Part I of this policy report, we review the procedures for selecting commissioners and analyze the racial and ethnic diversity of the selection of commissioners so far in 2020. The process for selecting the 14 commissioners who will redraw the states lines is nearly complete. On July 2, 2020, the first 8 commissioners were randomly drawn by the California State Auditor. These first 8 commissioners will

select the final 6 commissioners, and are charged with considering racial, ethnic, gender, and geographic diversity in selecting the 6 final commissioners. We analyze the levels of racial and ethnic diversity in this final stage of the process as well as in earlier stages of the narrowing of the applicant pool. Others have examined the levels of Latino representation in the initial and completed applicant pools, noting the lower numbers of Latino/a applicants relative to California's state population.¹ However, no one has simultaneously examined the levels of African-American, Asian-American, Latino/a, and white applicants to the 2020 redistricting commission compared to the 2010 process. Further, we analyze how racial and ethnic diversity *increased* during the finalist selection process in 2020 involving the California Bureau of Audits' Applicant Review Panel and how diversity *decreased* during state legislators' decisions to remove applicants from the pool.

How racially and ethnically diverse was the applicant pool to the 2020 redistricting commission? Did racial and ethnic diversity increase or decline at different stages of the process? As we describe below, we find that the racial and ethnic diversity of the pool increased compared to the 2010 application process. We also show that the 2020 applicant pool was not as racially and ethnically diverse as the state of California's population, and that African Americans, Asian Americans, and Latino/a applicants were numerically underrepresented in the pool relative to the state population.

During each stage of the Applicant Review Panel process to narrow the pool from 2,003 complete applications to the 60 finalists sent to the legislature, the diversity of the applicant pool improved. Although under-represented among initial applications relative to the statewide population, AAPI and Latino/a applicants made the largest gains of all groups from the completed applicant pool to the 60 finalists selected.

Despite this, the process of selection of 60 finalists by the Applicant Review Panel – the nonpartisan group of auditors who review the applications – increased the racial and ethnic diversity of the applicant pool. In particular, the percentage of Latino/a and Asian-American applicants increased significantly when comparing the 60 finalists to the number of completed applications to the commission. We also find that the state legislature – who is then allowed to strike up to 24 names from the pool of 60 – reduced racial and ethnic diversity by exercising all 24 of their strikes. In particular, the legislative leaders exercised strikes to more Latino/a applicants than any other racial or ethnic group. We also find that the first 8 commissioners selected include a larger percentage of people of color (62.5%), including a historic level of African Americans (37.5%); and that 0 Latino/a commissioners were selected in the first part of the final selection process. We then discuss how the final 6 commissioners will be chosen, and the implications of these imbalances in diversity for the selection of the final 6.

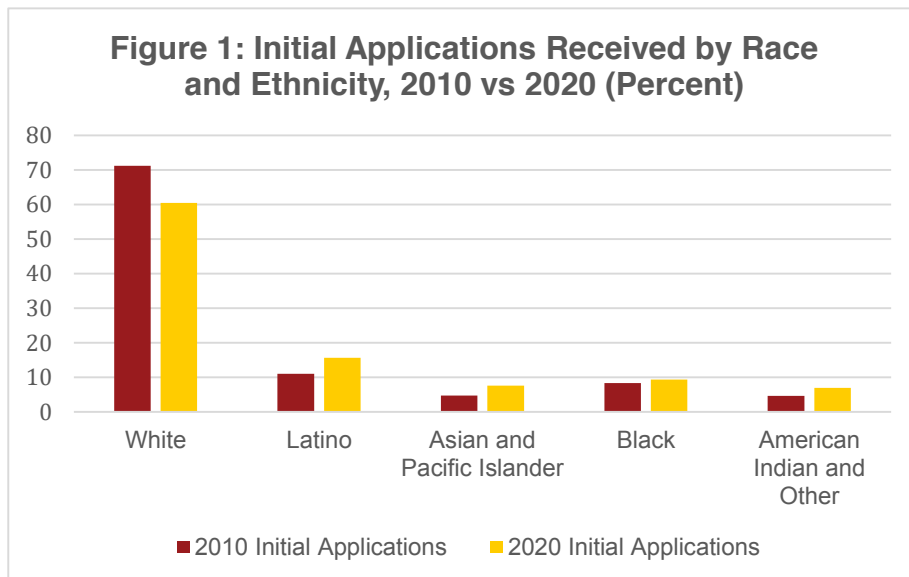
The selection of the commissioners is an extensive process. It first begins with initial applications, with the California State Auditor charged with collecting and processing applications. Then, completed applications are required, as many initial applications are partial. After that, the Applicant Review Board is selected by the California State Auditor. This review board chooses 120 semi-finalists

¹ Sonja Diaz, Nick Gonzalez, and Diana Garcia. 2020. "Shaping California's Future: An Analysis of Latino Underrepresentation in the 2020 California Citizens Redistricting Commission Applicant Pool." *UCLA LPPI Policy Report*.

who applied to serve on the redistricting commission for interviews, and then chooses 60 finalists after the interviews. This board that chooses redistricting commissioner semi-finalists and finalists is composed of three auditors with more than 10 years of independent auditing experience. Then the 60 finalists are sent to the legislature, where the legislature can strike up to 24 total. Then the first 8 are chosen by random draw by the state auditor. Following that, the final 6 members are chosen by the first 8, after the first 8 are trained in the law and the importance of diversity, among other topics.

More Latino, AAPI, and African-American Applicants in 2020 than in 2010

We begin with an analysis of the initial applications. Outreach efforts appear to have led to a greater racial and ethnic diversity of individuals applying to serve on the Citizens Redistricting Commission in 2020. We compared total initial applications in 2020 to the total completed applications in 2010 across five racial and ethnic groups: African Americans, Asian Americans and Pacific Islanders, Latino/as, Whites, and Native American/Multiracial/Other.² Initial applications include both completed applications and partial applications. Every racial and ethnic group except for Whites experienced an increase in their representation in the initial pool of applicants relative to the baseline application numbers from 2010. From 2010 to 2020, Latino/as achieved the largest gain moving 11.7 percent to 15.7 percent, followed by Asian American and Pacific Islanders moving from 4.75 to 7.6 percent. Native American/Others increased their applicant share from 4.65 to 7.6 percent, and Blacks increased their presence from 8.4 to 9.4 percent (see Figure 1). Whites were the only group that did not increase their share in the pool of applicants from 2010 to 2020, declining from 71.8 to 60.4 percent, but they were still the overwhelming majority of the applicants.



Latino/as and Asian Americans/Pacific Islanders Were Numerically Under-represented in the 2020 Initial Applicant Pool

Despite the gains by almost all groups from 2010 to 2020, Latino/as and AAPI were still under-represented among applicants in comparison to their proportions in the California electorate and population in the 2020 applicant pool. Specifically, Latino/as are 30.9 percent of the voting-eligible population, but represented only 15.7 percent of the initial applicants (see figure 1).³ Similarly, AAPI represents 14.6 percent of the voting-eligible population but were only 7.6 percent of the applicants (see figure 1). Whites, Blacks, Native American/“Other” were overrepresented among the applicants in comparison to their percentage in the electorate (see figure 1). Whites are 45.4 percent of the voting-

² The data on 2010 applications are from: Raphael J. Sonenshein. 2013. “When the People Draw the Lines: An Examination of the California Citizens Redistricting Commission.” *League of Women Voters Policy Report*. The data from 2020 applications are from <https://shapecaliforniasfuture.auditor.ca.gov/>.

³ Further, 38 percent of California’s overall population is Latino/a according to the 2010 Census. Data on the voting-eligible population by race and ethnicity is [from the USC Center for Inclusive Democracy](#).

eligible electorate, but they represent 60.4 percent of the initial applicants. Blacks comprise 7.2 percent of the voting-eligible population but represent 9.4 percent of the initial applicants. Native American/Other applicants are 1.8 percent of the electorate, but they represent 7.0 percent of the initial applicants.

Clearly, one place where Latino/a and Asian-American applicants were underrepresented was in the initial pool of applicants.⁴ In the future, greater recruitment could be conducted to encourage more applications from Latino/a and AAPI applicants. One of the shortfalls of the 2020 process was the relatively lower percentages of Latino and Asian-American applications at the initial stage of the process relative to the state's voting-eligible and total population demographics, even though applications from Latino/a and AAPI applicants increased between 2010 and 2020.

Table 1: Race and Ethnic Diversity of Applicants by Review Phase, (Percentage), 2020

	2020 Citizen Vote Age Population (%)	Completed Applications (%)*	60 Finalists (%)	% Point Change, Applications to Selection of 60 Finalists
Asian Amer. and Pacific Islander	14.6	9.1	23.3	+14.2
Latino/a	30.9	13.4	23.3	+9.9
Black	7.2	13.8	15.0	+1.2
Native American and Other	1.8	6.5	5.0	-1.5
White	45.4	57.2	33.3	-23.9

*Note: Table 1 displays completed application numbers, while Figure 1 displayed initial applications, including those that were incomplete. Hence the percentages in the completed applications in Table 1 differ somewhat from those displayed in Figure 1 (initial applications).

Subsequent Stages Increased Racial and Ethnic Diversity: Each Applicant Review Phase Improved Representation for Latinos, AAPI, and Blacks in the Commission Process

Next we analyze the diversity of the *completed* applications and the narrowing of the pool by the Applicant Review Panel to select 60 finalists. In total, 2,003 people completed full applications to the commission (the earlier discussion and Figure 1 displays *initial* applications, which includes both complete and incomplete applications). During each stage of the review process to narrow the pool from these 2,003 complete applications to the 60 finalists sent to the legislature, the diversity of the applicant pool improved significantly. Although AAPI and Latino/as were under-represented among initial and completed applications relative to statewide population and voting-eligible population numbers, they made the largest gains of all groups from the completed applicant pool to the finalist pool (see table 1).

Table 1's evidence suggests that the Applicant Review Panel appointed by the Bureau of Audits increased the racial and ethnic diversity of the pool from the stage of completed applications to selecting the 60 finalists. AAPI Californians comprised only nine percent of the 2,003 completed applications, but represented 23.3 percent of the 60 finalists selected by the Applicant Review Panel of auditors. The 14.2 percentage point increase for AAPI applicants was the largest of any group. Latino/as had the second largest gain with a 9.9 percentage point increase from the completed application stage to the 60 finalists.

⁴ Again see Sonja Diaz, Nick Gonzalez, and Diana Garcia. 2020. "Shaping California's Future: An Analysis of Latino Underrepresentation in the 2020 California Citizens Redistricting Commission Applicant Pool." *UCLA LPPI Policy Report*.

Latino/a Californians' 23.3 percent share of the 60 finalists moved the group closer to their overall proportion in the electorate which was significantly better than the share in the initial and completed applicant pools. Blacks saw their presence increase from the completed application stage to the 60-finalist stage, with a gain of 1.2 percentage points. Whites and Native Americans/Other saw their proportion decline between the completed applications and finalist selection stage. Despite the more than 23-point decline in

representation of Whites from the completed application phase to the 60 finalists, they still represented the highest percentage of the final 60 at 33.3 percent.

The legislature cut 7 of 14 Latino/a finalists. Among the Democratic applicants struck by the legislative leaders, almost all applicants cut were Latinas. Of the finalists, 50% of Latino/a applicants who remained were cut by the legislature.

Strikes by Legislative Leaders Decreased Latino/a Representation in the Pool of Finalists

State legislative leaders have the prerogative to remove applicants from the pool of finalists. In 2020, the legislature struck 24 names from the list of finalists, leaving a total of 36. One of the remaining 36 finalists removed their name from consideration, leaving only 35 remaining applicants. Because of the legislature's strikes, the Latino/a share of the applicant pool decreased the most of all racial and ethnic groups, declining by 3.3 percentage points or from 23.3 to 20.0 percent (see table 2). Blacks and AAPI increased their share among the applicants following the legislative strikes. The AAPI share increased by 2.4 percentage points and Blacks by 2.1 percentage points.

Table 2: Racial and Ethnic Diversity of Commission Finalists, Before After State Legislature Removes Some Applicants (Percentage), 2020

	Before Strikes by the Legislature	After Strikes by the Legislature	Percentage Point Change
Asian and Pacific Islander	23.3	25.7	+2.4
Black	15.0	17.1	+2.1
Native American or Other	5.0	5.71	+0.7
Latino/a	23.3	20.0	-3.3
White	33.3	31.4	-1.9
Total # of Finalists	60	35	

While table 2 shows the changes in racial and ethnic diversity after the legislative strikes in *percentage point terms*, since the number of applicants remaining at the finalist stage is small (60 total), it is helpful to review the changes in applicants in *raw numbers* as well to evaluate the decline in Latino/a applicants during the legislative strike stage. From the 60 finalists sent to the legislature, there were 14 Latino/a applicants. No other racial or ethnic group had 50% or more of the pool cut by the legislature

The random draw was historic in its level of African-American representation among the first 8.

Yet the first 8 included no Latino/a commissioners. This is concerning from a descriptive representation standpoint.

Had the legislature not struck such a large proportion of the remaining Latino/a finalists, it would have been extremely unlikely for the random draw to result in the selection of zero Latino/a commissioners.

We recommend the first 8 commissioners remedy this demographic imbalance in choosing the final 6.

other than Latino applicants. other than Latino applicants. is helpful to review the changes in applicants in *raw numbers* as well to evaluate the decline in Latino/a applicants during the legislative strike stage. From the 60 finalists sent to the legislature, there were 14 Latino/a applicants. No other racial or ethnic group had 50% or more of the pool cut by the legislature other than Latino applicants.

The California state legislative leaders exercised their strikes, which substantially reduced the size of the pool available for the initial random draw to select the first 8 commissioners. The legislature – and not the Bureau of Audits’ Applicant Review Panel – reduced the size of the Latino/a applicant pool, thus making it less likely a Latino/a applicant would be drawn in the random selection of 8 initial commissioners. Because the legislative leaders did not hold open meetings to discuss their legislative strike decisions and instead simply reported a memo regarding their decisions to the State Auditor, we are unable to assess how and which leaders made striking decisions.

Random Draw of First 8 of 14 Commissioners Results in Historic African-American Representation on California Citizens Redistricting Commission

There are 14 total commissioners selected to serve on the California Citizens Redistricting Commission: 5 Democrats, 5 Republicans, and 4 not affiliated with the major parties. On July 2, 2020, the California State Auditor used bingo balls and cages to randomly draw 3 Democratic commissioners, 3 Republican commissioners, and 2 commissioners not affiliated with these two major parties. Random draws are frequently used in government institutions as randomization allows for the distribution of limited “government resources...to citizens fairly.”⁵

In terms of diversity, the random draw led to 5 of 8 commissioners who are people of color (62.5% of the first 8 commissioners). Three of these first 8 commissioners identify as African American (1 Democrat, 1 Republican, and 1 independent). This is the highest percentage (32.5%) of African American commissioners in California history on the redistricting commission, and likely one of the highest

percentages of African-American participants in any redistricting process in the U.S. In addition, three other commissioners randomly drawn identify as White; and two other commissioners randomly drawn identify as Asian American.

⁵ Christian R. Grose and Abby K. Wood. 2019. “Randomized Experiments by Government Institutions and American Political Development.” *Public Choice* <https://doi.org/10.1007/s11127-019-00704-5>

Zero Latino/a Commissioners Among the First 8 with 6 More Left to Choose

While the random draw was historic in its level of African-American representation among the first 8, the random draw also failed to choose any Latino/a commissioners. This is concerning from a descriptive representation standpoint. Given California's sizable Latino/a population (38% population, 30.9% citizen voting-age population), this is a serious lack of representation for California's largest racial and ethnic group. Had the legislature not struck such a large proportion of the remaining Latino/a applicants (7 of 14) among the finalists, it would have been extremely unlikely for the random draw to result in the selection of no Latino/a commissioners.

Given that the first 8 randomly drawn commissioners are required by the Voters First Act to correct demographic imbalances on the Commission in choosing the final 6 commissioners, we anticipate that the Commission will choose several Latino/a commissioners in the final 6. Given the imbalance on this dimension, we recommend that the first 8 commissioners remedy this demographic imbalance by choosing Latino/a commissioners as well as considering other criteria such as gender and geographic diversity; and consider other factors such as analytical skills and the ability to be impartial that would be helpful in drawing the states' electoral boundaries.

Racial and Ethnic Diversity Going Forward in the 2022 California Redistricting Process

The final six commissioners will be selected by August 15, 2020; and demographic imbalances such as the paucity of Latino/a commissioners will be key considerations for the 8 commissioners already chosen. However, the selection of the final 6 commissioners in regards to racial and ethnic diversity is not the only remaining decision in the California Citizens Redistricting process.

The Commission is required by state law to ensure gender, geographic, and other forms of diversity not only in its final composition, but in the process of seeking public comments and hearing from Californians and community members as the Commission draws the lines. Given the fact that California is incredibly diverse on many dimensions, it is important that the Commission reflect the diversity of the state in all its forms. While this report focuses on racial and ethnic diversity – with particular attention paid to African Americans, Latino/as, and Asian American/Pacific Islanders – other diversity, including but not limited to Middle Eastern and North African (MENA), gender, and LGBTQI stakeholders, should also be included in some way in the Commission's outreach and decision-making.

In addition, the Voters First Act establishing the Commission emphasizes the importance of Commissioners having the demonstrated competence in working with others across party, racial, gender, and geographic lines. In fact, the Voters First Act is one of the few that explicitly seeks to ensure partisan fairness, the protection of voting rights for people of color, and the protection of communities of interest and diversity in the redistricting process. The Voters First Act enshrines parts of the federal Voting Rights Act in its law. During the previous redistricting cycle, the Voters First Act was unsuccessfully sued by Ward Connerly in regards to the use of racial, ethnic, and gender diversity as decision-making criteria. The courts affirmed these principles of diversity, noting that the commissioners are "public officers," and rejected Connerly's lawsuit.⁶

⁶ Raphael J. Sonenshein. 2013. "When the People Draw the Lines: An Examination of the California Citizens Redistricting Commission." *League of Women Voters Policy Report* p. 24.

How Can the 2022 Commission Value Racial and Ethnic Diversity and Protect Voting Rights?

In addition to considering demographic imbalances in choosing the final 6 commissioners, the 2022 California Citizens Redistricting Commission should consider voting rights of multiple racial and ethnic minority groups, seek public input on communities of interest, use that input in drawing the states' district lines, and consider the extensive diversity of the state. Of course, the Commission must also evaluate the ability for communities of interest and racial and ethnic minorities to elect candidates of choice. This is required by federal law and the Voters First Act. In doing so, the Commission must also follow the other criteria, such as geographic compactness and the drawing of fair districts without regards to protecting incumbents or parties, in the order in which the Voters First Act specifies. There are at least three specific areas in which the Commission can consider diversity in its process:

a. Voting Rights

The Commission should ensure that voters should be able to elect candidates of choice, in accordance with the Section 2 of the Voting Rights Act and in accordance with California's Voters First Act. This means that districts should not be drawn in a way to minimize or reduce the ability of racial and ethnic minorities to elect candidates of choice.⁷ The traditional districting practices of compactness, contiguity, and respect for political subdivisions have long been essential and widely agreed upon principles of redistricting. In California, voting rights and traditional redistricting criteria are to be considered while efforts to gerrymander for partisan advantage are not considered, as partisan legislative redistricting in the past led to the creation of the Commission in the first place.

b. Communities of Interest

Communities of interest are also important to recognize during the redistricting process. Such communities are often racial or ethnic minorities, but can include other groups as well. California law requires redistricting to take communities of interest into account such that they are able to elect candidates of choice and thereby attain representation in Congress and the Legislature. It is important to separate communities of interest from simple partisanship and incumbency. As the California Constitution states, "communities of interest shall not include relationships with political parties, incumbents, or political candidates." To determine the states' communities of interests, seeking public comment from citizens is essential.

California law requires redistricting to take communities of interest into account such that these communities are able to elect candidates of choice and thereby attain representation in Congress and the Legislature.

c. Diversity and Retrogression

Diversity is also an important consideration when the Commission draws its lines for Congress and the State Legislature. While race or ethnicity cannot be the sole criterion in drawing lines, it can be one of many factors, in addition to preserving compactness, contiguity, and respect for political subdivisions. It

⁷ The authors of this report have written about racial representation and the ability of minority voters to elect candidates of choice. For instance, see Jason P. Casellas. 2010. *Latino Representation in State Houses and Congress*. New York: Cambridge University Press; Christian R. Grose. 2011. *Congress in Black and White: Race and Representation in Washington and at Home*. New York: Cambridge University Press.; Michael D. Minta. 2011. *Oversight: Representing the Interests of Blacks and Latinos in Congress*. Princeton: Princeton University Press.

is essential that the gains made by racial and ethnic minorities in Congress and the Legislature in California be maintained and strengthened. Otherwise, retrogression can lead to the retrenchment of the ability of racial and ethnic minorities to exert influence in the political process.

II. The Election of People of Color to Congress and the State Legislature in California, Before and After the California Redistricting Commission

Having considered the role of racial and ethnic diversity in the selection and redistricting process of the Commission charged with drawing the 2022 electoral boundaries, we now turn to an evaluation of the maps that the first California Citizens Redistricting Commission drew. Examining the racial and ethnic diversity in California's U.S. House delegation and in California's state legislative delegation will assist the new commission as it draws its lines in order to mitigate voting rights retrogression. While Section 5 of the Voting Rights Act is federally moot after *Shelby County v. Holder*, the federal Voting Rights Act is formally part of California's Voters First Act; and the rest of the federal Voting Rights Act remains. In addition, evaluating the diversity of the Commission map used in the 2012 through 2020 elections in comparison to the legislative-drawn plan used from 2002 to 2010 is useful for evaluating how racial and ethnic diversity considerations in the first redistricting commission in California may have resulted in changes in diversity in the legislative delegations.

How has ethnic and racial descriptive representation in the California Legislature and state Congressional delegation changed since the California Citizens Redistricting Commission drew the lines? Representation can be conceptualized as descriptive and substantive variants.⁸ Descriptive representation occurs when constituents are represented by someone of their same race, ethnicity, or gender. Substantive representation refers to the representation of constituents' interests, rather than any socio-demographic characteristics per se. In this report, we analyze levels of racial and ethnic representation among legislators before and after the adoption of the California Citizens Redistricting Commission.

As we show below, there has been an increase in the proportion of people of color elected to both the U.S. House and to the California Legislature after the California Citizens Redistricting Commission drew district lines. Since the U.S. House maps were drawn by the Commission, the percentage of Latino/as elected in the U.S. House in California has doubled and the percentage of Asian-American/Pacific Islander (AAPI) U.S. House members in California has also doubled. The California State Legislature saw an increase in the percentage of African-American, AAPI, and Latino/a legislators in the maps drawn by the Commission compared to the earlier maps drawn by the Legislature.

In the following section, we elaborate on these findings and compare descriptive representation for African Americans, Latino/as, and Asian Americans in these legislative institutions before and after the adoption of the commission map in 2012; and with their corresponding statewide percentages. If we compare descriptive representation of California's racial and ethnic minorities prior to the creation of the Citizens Redistricting Commission in 2012, we can see that overall, as the state's population of Latino/as and Asian Americans has increased, so have their numbers in the U.S. House and in the state legislature. With African Americans in California, there has been an increase in the percentage in the state legislature.

Historically, the descriptive representation of minority groups has lagged the population for various reasons. For Latinos, lower voter turnout rates as well as a significant undocumented population helps explain the lag. Other research has shown that the level of professionalization of a legislature affects

⁸ Hanna Pitkin. 1967. *The Concept of Representation*. Berkeley: University of California Press.

minority descriptive representation. More professionalized legislatures like California may be conducive to, for example, the election of African Americans.⁹

In a number of states, after the decennial Census, state legislators draw congressional districts and state legislative districts. The act of legislators being charged with drawing their own electoral boundaries has been criticized by reformers and advocates for inhibiting partisan fairness. For instance, Governor Arnold Schwarzenegger and Attorney General Eric Holder have argued in favor of independent redistricting commissions, noting that “gerrymandering is the tool politicians use to manipulate the lines of their districts in a way that benefits them.”¹⁰ Consistent with this policy emphasis on partisan fairness, there has been a large amount of research about partisan gerrymandering.¹¹

“Gerrymandering is the tool politicians use to manipulate the lines of their districts in a way that benefits them.”

- California Governor Arnold Schwarzenegger & Attorney General Eric Holder

But less has been done to examine the representation of people of color and voting rights around independent redistricting commissions. Legislative-drawn maps, in contrast to commission-drawn maps, may result in voting rights violations and reductions in descriptive representation of people of color.

Prior to 2012, the California Legislature was responsible for redrawing congressional districts and state legislative districts. In 2002, the last time the California state legislature drew election district lines, legislators drew congressional and state legislative districts to protect incumbents. For instance, the 2002 legislative-drawn map was created with the assistance of the brother of Rep. Howard Berman. Berman’s U.S. House district was redrawn so as to reduce the voting power of Latino/a voters to protect the reelection prospects of white incumbents Howard Berman and neighboring incumbent Brad Sherman.¹² Similar vote dilution of Latino voting strength was alleged to have occurred in San Diego County to protect white Democratic incumbent Bob Filner.¹³ Kathay Feng, who is now the National Redistricting Director for Common Cause, was a voting rights lawyer in California in 2002. She recounts how one state

⁹ Clark, Christopher J. 2019. *Gaining Voice: Causes and Consequences of Black Representation in the American States*. New York: Oxford University Press.

¹⁰ Eric H. Holder, Jr. and Arnold Schwarzenegger. 2019. [“Our Turn: Redistricting Reform Gives Power Back to the People.”](#) *Concord (N.H.) Monitor*.

¹¹ For instance, see Alan S. Lowenthal. 2019. “The Ills of Gerrymandering and Independent Redistricting Commissions as the Solution.” *Harvard Journal on Legislation*; Nicholas Stephanopoulos and Eric McGhee. 2015. “Partisan Gerrymandering and the Efficiency Gap.” *University of Chicago Law Review*; Barry Edwards, Angel Sanchez, Tyler Yeargain, Michael Crespín, and Jessica Hayden. 2016. “Can Independent Redistricting Commissions Lead Us Out of the Political Thicket?” *Albany Government Law Review*; Christian R. Grose, Jordan Carr Peterson, Matthew Nelson, and Sara Sadhwani. 2019. [“The Worst Partisan Gerrymanders in U.S. State Legislatures.”](#) *USC Schwarzenegger Institute*.

¹² Berman’s district was changing demographically over time as the Latino population increased, yet Berman was able to hold onto the district due to incumbency advantage and the legislative-drawn redistricting map of 2002. For instance, see Jason P. Casellas. 2010. *Latino Representation in State Houses and Congress*. New York: Cambridge University Press, p. 59.

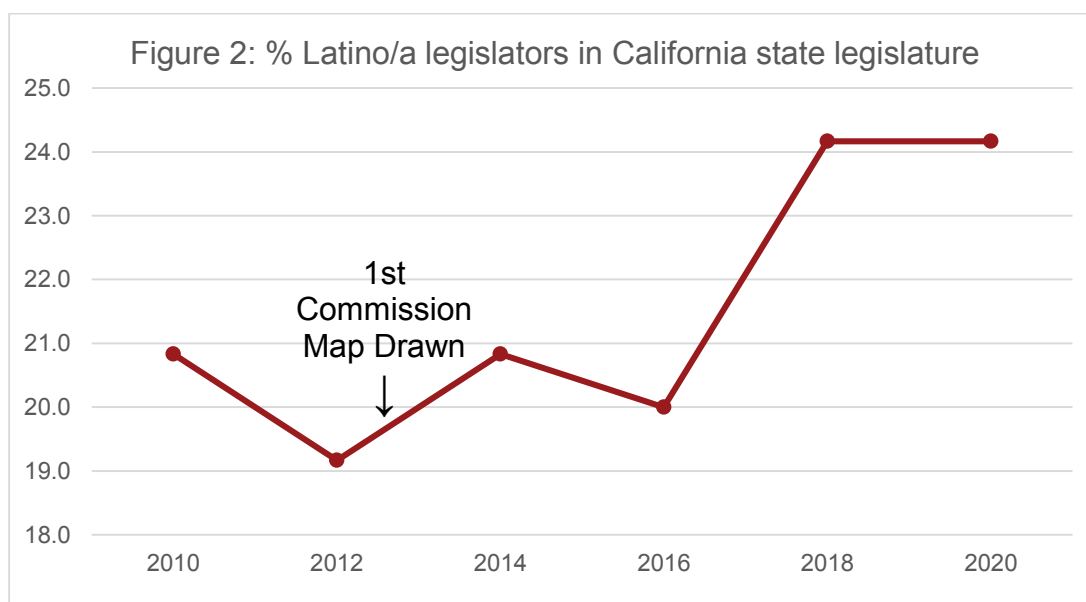
¹³ Kenneth Reich. 2001. [“Latino Group Sues Over Redistricting.”](#) *Los Angeles Times* 2 October.

legislator vowed to draw the lines in order to reduce the voting power of Asian-American constituents in his district.¹⁴ These districts, drawn by the legislature, were used for the 2002 through the 2010 elections.

In an effort to reduce partisan gerrymandering, the majority of Californians voted for the Voters First Act to create an independent redistricting commission. This ballot proposition gave authority to an independent redistricting commission, which is now responsible for drawing districts for the state legislature, Congress, and the Board of Equalization. The inaugural California Citizens Redistricting Commission drew electoral maps first used in the 2012 elections and that will be used through the 2020 elections. Legislators first served in 2013-14 under these commission maps. The second California Citizens Redistricting Commission will be selected in summer 2020 and will redraw the lines that will be used to elect legislators in the state from 2022 through 2030.

Latino/a Descriptive Representation in the California State Legislature, 2010 to 2020

We examine data on the California legislature from 2010 to 2020 by race and ethnicity of legislators to assess if the diversity of the legislature increased following the 2012 commission remap. We examine the years prior to the Commission map in which the lines were drawn by the legislature (2010 to 2012), and years following the Commission map (2014, 2016, 2018, 2020). This time period allows for comparability across both legislative-drawn and commission-drawn maps over a decade, and is also the time period in which data were available about California state legislators by race and ethnicity.¹⁵



In 2010, under the legislative-drawn map, Latino/as comprised 20.8 percent of the state legislature (see Figure 2). This number dropped down to 19.2%, which was the last year the legislature-drawn map existed. In the first years of the Commission map, the percentage of Latinos hovered around

¹⁴ Kathy Feng. 2019. [“California Redistricting Should Serve as a National Model.”](#) *Mercury (Ca.) News*.

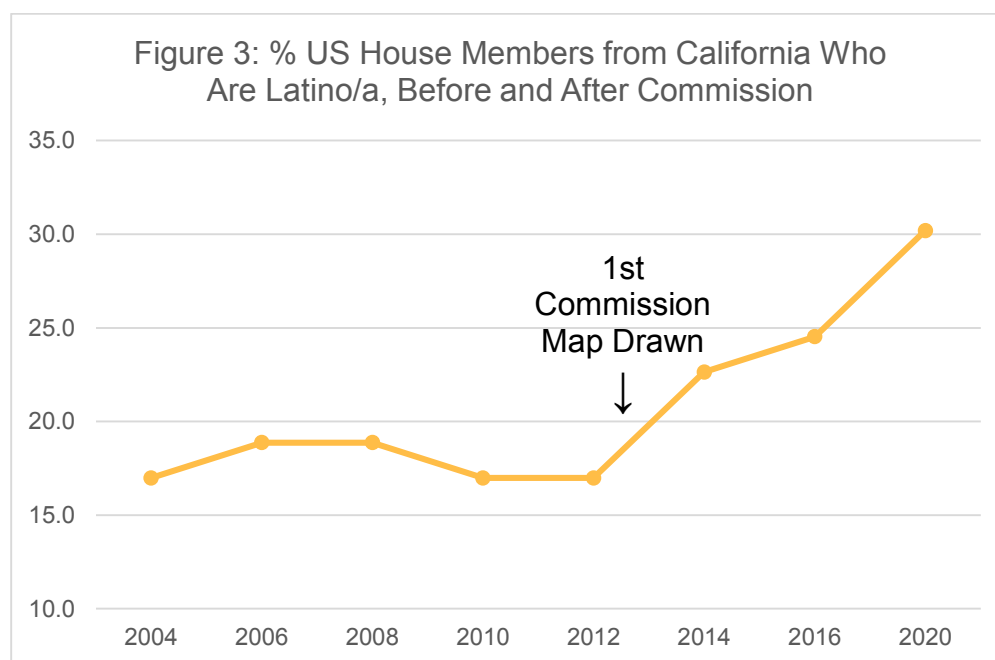
¹⁵ Data on race and ethnicity were collected from multiple sources. For population data, U.S. census data were used. For data on voting-eligible population, we used estimates provided by Mindy Romero through the US Center for Inclusive Democracy. For state legislative data about Democrats, data were collected from the Black Caucus, Latino Caucus, and the Asian and Pacific Islander Caucus. Data were also collected from the California library. State legislative data about Republicans were collected from these caucuses and several other sources. Data on members of Congress were collected from the U.S. Congress.

20% of the legislature. But in the latter part of the decade, under the Commission map, the percentages increased dramatically. By 2020, the percentage of Latinos in the state legislature was 24.2%, a 5-percentage point increase in the commission map over the legislative-drawn map in 2012. The percentage of Latino state legislators in 2018 and in 2020 was higher than the percentage of Latino legislators in both 2010 and 2012 under the legislative-drawn map. The 2010 Census reported that Latinos comprised 38 percent of the state's population, so Latinos were descriptively under-represented in the Legislature during this time. Compared to other states, however, Latino descriptive representation was fairly high; and compared to the legislative-drawn map, the commission map by the end of the decade had resulted in a higher percentage of Latino state legislators.

The Percentage of Latino/a U.S. House Members From California Doubled After the Redistricting Commission Map Was Drawn

We also look at the change in the percentage of Latino/a legislators in the California U.S. House delegation in Figure 3. The growth of Latino/as in the U.S. House from California has been significant during the last decade in which elections were held under the redistricting commission map. We collected data for the entire decade of the legislative drawn map (2004 to 2012) and for all years following elections under the commission map (through 2020).

As Figure 3 shows, in the 2004 Congressional delegation, there were nine Latinos out of fifty-three members from California (17.0 percent). Over the decade through 2012, this percentage of Latino members in the California House delegation barely increased and stagnated in the range of 17% to 19%. The ability to elect Latino/a members of Congress during the decade was reduced as the map was designed to protect previously-elected incumbents. Following the commission remap, the number of Latino/a elected officials in the California congressional delegation increased significantly. For example, in 2014 and 2016 – following the first elections held under the commission-drawn map – the congressional delegation had increased to over 20 percent Latino/a. In the congressional delegation in 2020, there were sixteen Latinos out of fifty-three members from California (30.2 percent). The state's voting-eligible Latino/a population was 30.9% in 2020. For the first time in modern history, the California congressional delegation reached parity with its eligible Latino/a voting population.

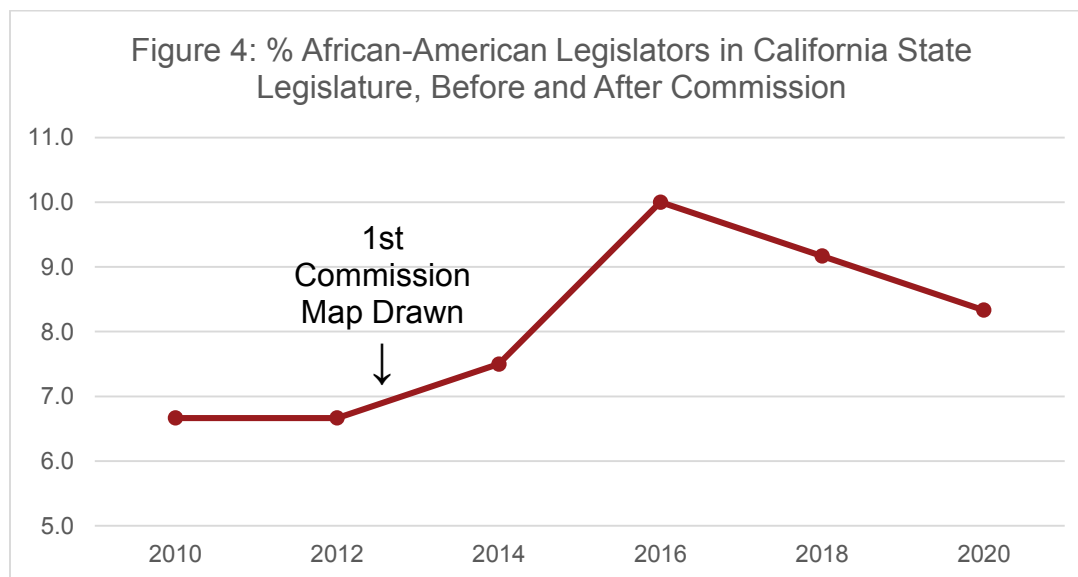


The Latino/a proportion of the state legislature and Congress increased during the decade following the implementation of the California Citizens Redistricting Commission map. These results are consistent with the findings in Sadhwani and Junn (2018), who show that between 2010 and 2016, the trend for the congressional delegation slightly changes in an upward direction, with the election of more Latino members.¹⁶

Following the redistricting commission's remap, the number of Latinol/a elected officials in the California congressional delegation increased significantly. For the first time in modern history, the California congressional delegation reached parity with its eligible Latinol/a voting population.

African American Descriptive Representation in the California State Legislature, 2010 to 2020

We next compare levels of African-American representation in the California state legislature before and after the enactment of the state's first redistricting commission-drawn maps. In 2010, African Americans comprised 6.7% of the 120-person California state legislature (see Figure 4). The 2000 Census reported that African Americans comprised 6.7 percent of the state's population, and in 2010 the Census reported that the African American population in the state had slightly decreased to 6.5 percent. Thus, African Americans were about equally represented in the California state legislature under the legislative-drawn map in 2010.



¹⁶ Sara Sadhwani, an expert on redistricting and Asian-American and Latino voters in California, co-authored this Sadhwani and Junn (2018) study and argued that changes in California's electoral institutions like the independent redistricting commission hastened representation of people of color in California. She was selected by the random draw to serve on the state's redistricting commission to draw the lines for 2022 and was previously a postdoctoral fellow at the USC Schwarzenegger Institute. The full citation is Sara Sadhwani and Jane Junn. 2018. "Structuring Good Representation: Institutional Design and Elections in California." *PS: Political Science and Politics* 51:318-22.

By the time the commission-drawn map was in place, the percentage of African Americans in the state legislature increased somewhat (again, see Figure 4). In the 2014 state legislative delegation, 9 members of the state legislature were African-American Assembly members or Senators (7.5 percent). By 2016, African-American legislators were 10% of the state legislature. These numbers declined in 2018 and 2020, but remained higher than the descriptive representation observed in the delegations elected in the legislative drawn maps a decade earlier. The state legislative maps drawn by the Commission resulted in greater African-American representation than those drawn by the legislature.

The state legislative maps drawn by the California Citizens Redistricting Commission resulted in greater African-American state legislative representation than those drawn by the legislature.

African Americans in the U.S. House Delegation from California

The African-American congressional delegation has been relatively flat during the periods of the legislative-drawn and commission-drawn maps, so they are not displayed in a figure. In the 2004 Congressional delegation, there were four African Americans out of fifty-two members from California (7.6 percent). Following the commission map and the slight decrease in the state's African-American population in the 2010

census, three members of the U.S. House were African American (5.7 percent of the California U.S. House delegation in 2020). The trends for African American descriptive representation show that there was a slight increase in representation in the California state legislature, and a decrease of one House member in the congressional delegation.

Asian American and Pacific Islander Descriptive Representation in the California State Legislature, 2010 to 2020

Finally, we assess the change in the percentage of Asian-American or Pacific Islander (AAPI) elected officials in the California state legislature in the period before and after the independent redistricting commission began drawing maps in California (see Figure 5). Again, we examine data from 2010 to 2020 in order to provide comparisons under two periods of the last legislative-drawn map and the periods under the first commission-drawn map. The legislative drawn-map was done prior to the 2002 elections, and we present data on the percentage of AAPI legislators in 2010 and 2012 (elected in the legislature-drawn map); and the percentage of AAPI legislators in 2014, 2016, 2018, and 2020 (elected in the redistricting commission-drawn map).

The congressional map approved by the California Citizens Redistricting Commission led to significant increases in AAPI representation in the California U.S. House delegation. By 2020, under the commission-drawn map, 13.2% of the U.S. House delegation identified as Asian American, a historic high for the state delegation.

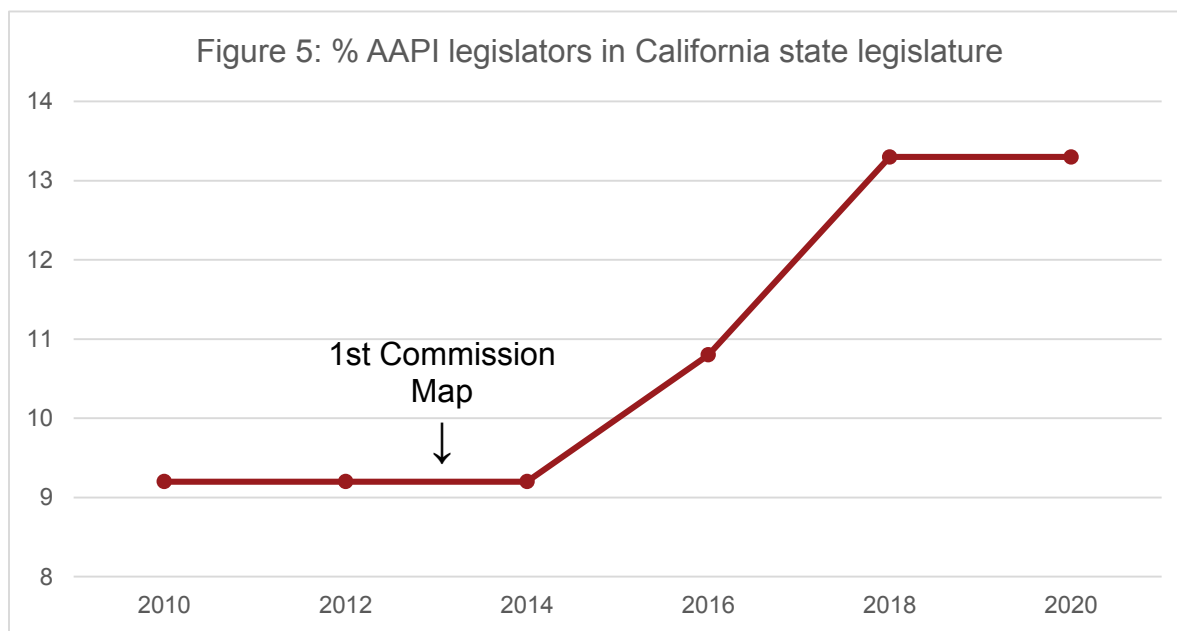
In 2010, Asian American and Pacific Islanders comprised 9.2 percent of the California state legislature's 120 members (see Figure 5). This number remained the same (9.2 percent) in 2012, the last year in which the legislature met where districts were entirely drawn by the state legislature. The 2000

Census reported that Asian American and Pacific Islanders comprised 11.3 percent of the state's population. By the 2010 census, the Asian American and Pacific Islander population in the state had increased to 20 percent, so Asian Americans/Pacific Islanders were under-represented in the Legislature.

Following the redrawing of state legislative lines by the redistricting commission, the percentage of AAPI state legislators in California has increased. In 2014, as Figure 5 shows, the percentage of AAPI California state legislators again remained at 9.2 percent. However, by 2016, there were 13 Asian Americans/Pacific Islanders out of 120 total (10.8 percent). Under the commission-drawn maps, Asian-American and Pacific Islander representation numbers continued to increase. By 2020, the percentage of AAPI legislators in the California state legislature was over 13 percent. As the fastest growing demographic group in the state population, Asian American/Pacific Islander representation has increased significantly in the state legislature following the drawing of electoral lines by the California redistricting commission. However, this level of descriptive representation is still not proportionate to the statewide population.

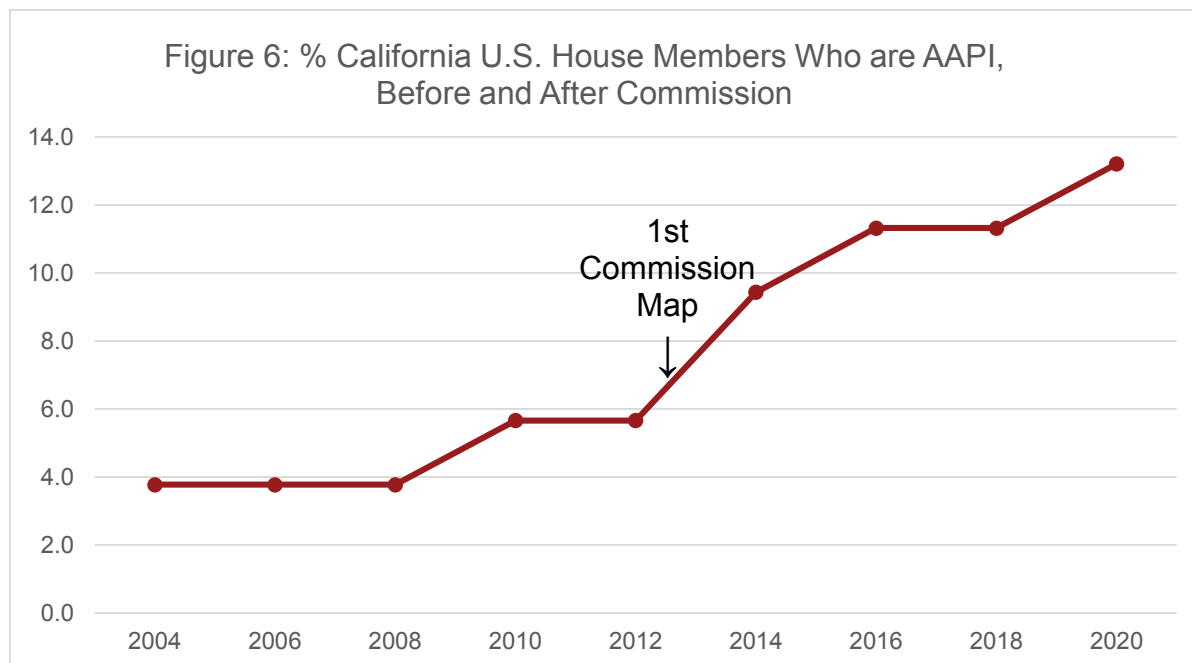
The Percentage of Asian-American U.S. House Members From California Increased After the Redistricting Commission Map Was Drawn

In Figure 6, we look at changes in the California congressional delegation in regards to AAPI legislators. The size of the increase of AAPI U.S. House members from California has been significant during the last decade in which the California Citizens Redistricting congressional map has been in place. We examine data for the entire decade of the map drawn by state legislators (legislators serving 2004 to 2012) and for all years following the use of the commission map (legislators serving 2014 to 2020).



In the 2004 Congressional delegation, there were two Asian American U.S. House members out of fifty-three members from California (3.8 percent). As Figure 6 displays, the percentage of AAPI members of the U.S. House in the California delegation remained under 6.0% in 2004, 2006, 2008, 2010, and 2012. During this decade in which the legislature-drawn map was used, there were not major increases in the numbers or percentages of AAPI legislators in the U.S. House from California – even as the AAPI population of the state nearly doubled according to U.S. Census data.

The congressional map approved by the California Citizens Redistricting Commission led to significant increases in AAPI descriptive representation in the California U.S. House delegation. As shown in Figure 6, by 2014, the percentage of AAPI members of the U.S. House in the California delegation was nearly 10 percent. In the 2016 Congressional delegation, 11.3% of the California U.S. House delegation was Asian American. By 2020, under the commission-drawn map, 13.2% of the U.S. House delegation identified as Asian American, a historic high for the state delegation. The percentage of AAPI members of Congress had more than doubled by this point under the commission-drawn map when compared to the legislative-drawn map a decade prior. While these numbers were higher than seen previously, AAPI legislators are still under-represented in the U.S. House delegation from California relative to the state population.



III. Conclusions Regarding the 2022 California Citizens Redistricting Commission

We have examined the racial and ethnic diversity of the 2022 California Citizens Redistricting Commission applicant pool and finalists. We have also examined the racial and ethnic diversity of the California state legislature and U.S. House delegation under the legislative-drawn redistricting maps and the current independent redistricting-drawn maps.

We conclude that the racial, ethnic, and other diversity on the Commission is not only important for descriptive representation, but is also required by state law and supported by the voters of California. The first eight commissioners randomly drawn include three African-American members, two AAPI members, and three white members. Four of these members are women, and four are men. Two are LGBT, and the first 8 commissioners also represent the diversity of the state of California geographically and in other ways.

We also conclude that the dearth of Latino/a Californians among the first 8 commissioners significantly reduces the diversity of the redistricting panel. Given Latino/as are the largest population group and the second-largest voting eligible group in the state of California, it is important – and required by the Voters First Act – that the first 8 commissioners appoint Latino/a members of the Commission in

the next round of appointments to the Commission. This will increase descriptive representation of Latinos on the California Citizens Redistricting Commission, and the first 8 commissioners are also required by law to consider racial, ethnic, and other diversity imbalances such as gender and geography, and other factors, in selecting the final 6 commission members.

In regards to the 2022 redistricting commission in California, we also conclude that there were two key breakpoints that led to a reduction in Latino/a finalists being selected in the first 8 for this year's commission. First, while the overall number of Latino/a applicants to the commission was greater in 2020 than in 2010 (when the first commission was convened), there were proportionally not as many Latino/a applicants in the initial pool of completed applications as would be reflected by the statewide voting-eligible Latino/a population or the state overall population. More should be done in the 2032 cycle to encourage a larger number of applicants. However, the Applicant Review Panel in the Bureau of Audits increased racial and ethnic diversity of the pool of 60 finalists during the selection process, including increasing the proportion of Latino/a finalists over the initial application proportion.

We conclude that the key breakpoint that led to a reduction in the chances for Latino/a applicants to be randomly drawn as one of the first 8 commissioners was due to the state legislative strikes. The state legislature chose to strike 7 of 14 Latino/a finalists for the Commission, as is their prerogative in the law. The state legislature reduced the number and percentage of Latino applicants, and the blame for the lack of Latino/a representation appears to reside with the state legislative leaders.

The redistricting maps drawn by the first independent redistricting commission are associated with a higher percentage of legislators of color in both Congress and the state legislature than occurred when the legislature drew the maps. The legal requirements that the independent commission consider the racial and ethnic diversity of the state, communities of interest, voting rights laws; and not to consider incumbent protection likely led to this increase in racial and ethnic diversity in the state legislature and Congress. The new Commission should take their charge seriously to consider voting rights, ability to elect candidates of choice, and communities of interest in drawing lines – as well as seeking to create fair maps on partisan and other dimensions.

The new Commission should take their charge seriously to consider voting rights, the ability to elect candidates of choice, and communities of interest in drawing lines – as well as seeking to create fair maps on partisan and other dimensions.

Recommendations Regarding Redistricting, Diversity, and Voting Rights in California and Beyond

As the process to select the rest of the Commission has not yet transpired, nor has the Commission begun drawing lines, we urge stakeholders and relevant parties to consider the following recommendations:

1. Choose the next 6 commissioners carefully, and address demographic imbalances, including the absence of Latino/a commissioners. The first 8 commissioners chosen by random draw on July 2, 2020 should carefully consider the racial, ethnic, gender, and geographic diversity that is required by the Voters First Act in choosing the remaining 6 commissioners. The first 8 commissioners can ensure that the final membership of the Commission is “reasonably representative of this State’s diversity,” as specified in Article XXI of the California Constitution. It is essential that relevant groups have their voices heard

during this process, and are afforded seats at the table. In particular, the absence of Latino/a representation in the initial selection process should be addressed by the first 8 commissioners, given the state's demographics and we recommend the Commission appoint multiple Latino/a commissioners in the final 6 chosen. We also recommend that the first 8 commissioners carefully consider other diversity factors, as well as choose commissioners on criteria such as expertise and ability to work with a coalition across partisan and other dimensions as is required by the Voters First Act.

2. Greater transparency in the legislative striking of applicants is needed and encouraged. Or consider removing the legislative strikes provision from the process in future redistricting commissions. The first 8 commissioners were chosen in a transparent random draw by the State Auditor from 35 remaining applicants. Before the random draw, state legislative leaders – as is allowed by law – struck the names of 24 applicants and 1 applicant dropped out. Given that the state legislature chose to cut 50% of Latino/a finalists from the pool, thereby reducing the number of Latino/a applicants, greater transparency from the legislature regarding leaders' decision-making in the commissioner selection process is recommended.

In addition, a remedy that could encourage greater Latino/a representation in future redistricting commission selection processes would be to remove the ability for legislative leaders to strike redistricting commission applicants. As other states adopt California's commission as a model, they may choose to remove the legislative strikes provision. Given that the Applicant Review Panel increased racial and ethnic diversity in choosing the final 60 applicants, and the random draw is fair in giving each person with each partisan group equal probability of being selected, then a remedy to improve diversity may be to remove the legislature from the process entirely. Further, the intent of the voters when they passed The Voters First Act in 2008 and 2010 was to remove the ability for state lawmakers to engage in redistricting and instead delegate such responsibility to an independent redistricting commission; and this delegation of redistricting to commissions by voters has been affirmed by the Supreme Court in *Arizona State Legislature v. Arizona Independent Redistricting Commission*.

A similar policy remedy would be to allow for fewer strikes by the state legislative leaders to the applicant pool. Instead of striking 24 applicants as is allowed now, perhaps only 6 could be struck.

3. The selection of Redistricting Commissioners could be block randomized by race and ethnicity as well as by political party; instead of only the current randomization within partisan groups. In future redistricting commission selections, the draw of final commissioners could be randomized within both partisan groups and also racial and ethnic groups. While the partisan groups would be evenly split with 5 Democrats, 5 Republicans, and 4 people not affiliated with either party to ensure partisan balance, the size of each racial and ethnic group could be determined based on the percentage of the population or the voting-eligible population in the state in the decade in which the commission is seated. Block randomization considering both party and race/ethnicity of applicant would effectively mitigate the chances that no large group has zero finalists randomly drawn.

4. Redistricting Commissions must carefully evaluate voting rights, communities of interest, and the ability to elect candidates of choice in drawing legislative lines. We also recommend that the 2022 Commission carefully consider communities of interest, voting rights, the state's diversity, and the ability to elect Latino/a, African American, and AAPI legislators when drawing California's districts to be used from 2022 to 2030. The first commission took these criteria seriously and the result was a commission-drawn map that led to increases in the Latino/a, Asian-American, and African-American percentage of legislators in the state legislature; and a doubling of the Latino and Asian-American members of the U.S. House by 2020 compared to the initial maps drawn by the legislature in the previous decade.

Given California's diverse populace, and its multiple minority groups, the Commission must draw fair maps. In addition to not favoring one political party and not favoring incumbents, the Commission must protect voting rights of African Americans, Asian Americans, and Latino/as, and others communities of interest. Analyzing racially polarized voting and the ability to elect candidates of choice is an essential part of the upcoming redistricting process for the Commission. Unlike legislators who draw lines, Commissions are not driven by electoral self-interest. Therefore, Commissions may find it easier to consider multiple neutral criteria such as the protection of voting rights.

5. Seek public comment and engage in outreach. The Commission in 2022 must seek extensive public comment from California's diverse populace. Be inclusive of the concerns of Californians from racial and ethnically diverse communities. The Commission will have a considerable ability to shape who gets elected in the next ten years, and as such, should be responsive to the concerns of Californians who, in the past, might have been less trusting of previous electoral and redistricting procedures. The first Commission who drew the lines for 2012 to 2020 serves as a model for future commissions: they engaged in extensive outreach, often working in groups with at least one Democrat, one Republican, and/or one independent seeking input from the state's citizenry. The Commission should engage with local media, including media from underrepresented communities, such as Black newspapers and Spanish, Korean, and Cantonese language television and radio. In addition, the Commission can engage with younger communities via social media and other non-traditional sources.

6. The state must encourage a greater diversity of applications when hiring consultants responsible for generating enthusiasm among the state's populace to apply to the commission. In addition to outreach around the drawing of lines in 2022, the state should devote more resources to encouraging a greater number of applications from marginalized communities in future years when recruiting applicants for this and commissions and state boards. The state should consider diversity when hiring consultants who are responsible for creating interest in the application process. In future years, greater effort by the state and by advocacy organizations to encourage more applications from historically under-represented groups could be conducted. In Michigan, for instance, its inaugural redistricting commission in 2020, the Secretary of State mailed commission applications to over 200,000 registered voters who were randomly chosen to receive the application. The result in Michigan was that applications from African Americans and whites approximated the population of the state.¹⁷ California and other states with commissions could adopt similar outreach strategies randomly inviting large numbers of the populace to apply.

7. Use traditional redistricting principles such as drawing lines around communities of interest. Draw lines consistent with the traditional practices of redistricting ensuring that communities of interest have their voices heard. As the Commission identifies communities of interest across the state, these and other significant municipal, county, and city boundaries can be used to draw compact districts that also protect communities of interest.

¹⁷ See Michigan Secretary of State's web site on the Michigan independent redistricting commission: https://www.michigan.gov/documents/sos/ICRC_Whos_applying_682238_7.pdf

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