

September 15th, 2023

The Honorable Gavin Newsom  
Governor, State of California  
1021 O Street, Suite 9000  
Sacramento, CA 95814

**Re: AB 764 (Bryan): FAIR MAPS Act — Request for Signature**

Dear Governor Newsom:

The American Civil Liberties Union California Action, Asian Americans Advancing Justice - Asian Law Caucus, California Common Cause, and League of Women Voters of California are proud sponsors of Assembly Bill 764, which would strengthen and expand California's local redistricting law, the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act ("FAIR MAPS Act"), based on lessons learned from the 2020 redistricting cycle. We respectfully request your signature on this important legislation.

Every Californian's voice should be heard when determining our communities' futures. How local district maps are drawn has the power to determine, for the next decade, who will be empowered and who will not, which communities will be invested in and which will not, and whether communities' and neighborhoods' shared interests will be fairly represented at

the levels of government closest to the ground. In short: Good redistricting means fair representation; bad redistricting means disenfranchisement.

The FAIR MAPS Act tries to ensure good, fair redistricting for California cities and counties. The law specifies mandatory ranked line-drawing criteria and has a number of mandates around transparency, participation, and public engagement. In the FMA's first-ever implementation in the 2020 redistricting cycle, these reforms resulted in notable improvements but community members, community-based organizations, and good government groups still witnessed major problems.

These problems are well-documented. In January 2023, our organizations co-published a [landmark study](#), "The Promise of Fair Maps," that evaluated local redistricting processes in over 100 jurisdictions across California. The study found that, despite improvements due to the FAIR MAPS Act, local legislative bodies still found ways to manipulate redistricting processes. The 2020 local redistricting cycle saw countless calls for inclusion and transparency go ignored as neighborhoods and communities across the state were split in order to insulate those in power, with many examples provided in the report. Gerrymandering was also found in school districts and special districts, which were not subject to the FMA.

AB 764 would directly address these issues. Most importantly, it would prohibit protection of or discrimination against an incumbent or political candidate in redistricting, building on the FAIR MAPS Act, which made partisan gerrymandering illegal. AB 764 would also apply the FMA's mandatory ranked redistricting criteria to all jurisdiction types.

"The Promise of Fair Maps" also highlighted a number of other widespread issues. The study found a lack of transparency in how final adopted maps actually complied with line-drawing criteria, if at all. It found local jurisdictions did limited public education and often held the minimum number of legally required public hearings, resulting in barriers to engagement and public participation in the process. And the report found confusion regarding when new district lines would go into effect. Issues as seemingly small as a lack of statutory deadline for local jurisdictions to establish redistricting web pages created serious public participation barriers.

AB 764 would close important loopholes and fix ambiguities in the FMA based on these observations. The bill would simplify map adoption deadlines and clarify when newly adopted district lines would take effect. It would require greater public transparency compliance with line-drawing criteria and around line-drawing decisions.

Additionally, AB 764 would improve opportunities for public engagement by instituting a minor increase in the number of required public hearings, maintaining hybrid participation options for the public, and requiring jurisdictions to proactively plan for public outreach and education.

Over the course of the legislative process, the author's office, sponsors, and impacted jurisdictions engaged in strong collaboration to ensure that these changes and added requirements would not be onerous for the local jurisdictions. In particular, the bill has been narrowly tailored to be mindful of special districts' and educational districts' capacity, while still improving the standardization of the process across jurisdictions.

Given that thus far there have been no requests for state reimbursement due to implementation of the FAIR MAPS Act, we believe the additional requirements of AB 764 are not expected to pose significant added costs to jurisdictions, or to the state.

Fair representation is important at all levels of government, especially local. Local governments' decisions on issues such as land use, affordable housing, health equity, policing, supportive services, and education policy have an outsized impact on the lives and quality of life of all Californians. The FAIR MAPS Act was a major first step towards a fairer and more inclusive local

redistricting process in California. We must learn, however, from the lessons of the 2020 redistricting cycle and continue to work toward a fairer and more inclusive democracy.

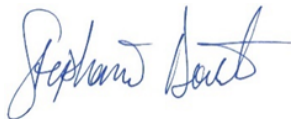
**For these reasons, the ACLU California Action, Asian Americans Advancing Justice - Asian Law Caucus, California Common Cause, and League of Women Voters of California respectfully request your signature on AB 764.**

Please contact Laurel Brodzinsky, Legislative Director for California Common Cause, at [lbrodzinsky@commoncause.org](mailto:lbrodzinsky@commoncause.org) or Dora Rose for the League of Women Voters of California, at [drose@lwvc.org](mailto:drose@lwvc.org) for questions.

Sincerely,



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