September 6, 2023

To: Members, California State Senate

From: Sarah Dukett, Policy Advocate, Rural County Representatives of California
        Jean Kinney Hurst, Legislative Advocate, Urban Counties of California
        Eric Lawyer, Legislative Advocate, California State Association of Counties

**RE: AB 1248 (Bryan): Local redistricting: independent commissions
        As amended 9/1/23 – OPPOSE UNLESS AMENDED
        File Item #370 – Senate Third Reading File**

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write to respectfully oppose Assembly Bill 1248, which would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process. While we acknowledge the Legislature's interest in requiring broad adoption of independent redistricting commissions at the local level, AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we have urged amendments to the bill that ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting. Additionally, we offer suggested amendments that would limit the scope of the bill in 2031 to those cities and counties with populations of 500,000 or more and incorporate an independent assessment of the 2031 redistricting process in these jurisdictions to better understand the outcomes and impacts faced by local agencies, their independent commissions, and stakeholders before expanding a mandate to convene an independent redistricting commission to additional jurisdictions.

Balancing the need for appropriate and necessary involvement at the county level with the statutory directive to ensure the commission's independence is a complex and challenging endeavor and, to date, California law does not contain sufficient direction to counties or their corresponding commissions nor does the state provide any technical assistance to assist when issues arise. In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance; this work should be informed by the experiences in Los Angeles, San Diego, and Santa Barbara Counties during the previous

redistricting cycle, to ensure consistent practices on issues like contracting for staff, reasonable expectations for covering costs, managing litigation, maintaining a commission, and the like. Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the "independent" nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists.

The promise of local independent redistricting commissions, as outlined in AB 1248, is to "ensure better outcomes for communities, in terms of fairness, transparency, public engagement, and representation." To successfully achieve this promise, counties need more than a directive to establish a commission. They – and their corresponding commissions – need real, concrete supports from the state, including statutory changes informed by the experiences of counties that have already been through the process, financial resources, and real-time technical assistance. Without this kind of support, we are concerned that counties will be set up for failure and such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

cc: The Honorable Isaac Bryan, California State Assembly