STATE OF CALIFORNIA

CALIFORNIA CITIZENS REDISTRICTING COMMISSION (CRC)

In the matter of:

CRC BUSINESS MEETING

MONDAY, JANUARY 12, 2021

9:30 a.m.

Transcription by:
eScribers, LLC
APPEARANCES

COMMISSIONERS
Antonio Le Mons, Chair
Derric Taylor, Vice-Chair
Isra Ahmad, Commissioner
Linda Akutagawa, Commissioner
Jane Andersen, Commissioner
Alicia Fernandez, Commissioner
J. Kennedy, Commissioner
Neal Fornaciari, Commissioner
Sara Sadhwani, Commissioner
Patricia Sinay, Commissioner
Pedro Toledo, Commissioner
Trena Turner, Commissioner
Angela Vazquez, Commissioner
Russell Yee, Commissioner

STAFF
Daniel Claypool, Executive Director
Kary Marshall, Chief Counsel
Marian Johnston, CRC Staff Counsel
Wanda Sheffield, Office Technician
Marcy Kaplan, Director of Outreach
Freddy Ceja, Communications Director
Cecilia Gomez Reyes, Communications Manager

TECHNICAL CONTRACTORS
Jesse Fraire, Public Comment Moderator

PRESENTERS
Aleks Kajstura, Prison Policy Initiative
Karin MacDonald, Statewide Database

Also Present

PUBLIC COMMENT
Debbie McElroy
Eric Payne, Central Valley Urban Institute
Ethan Jones, Assembly Elections Committee
Martha Camacho Rodriguez
Renee Westa-Lusk
ThoVinh Banh, Disability Rights California
Henry Fung
Jeanine Erikat, PANA
Julia Marks, Asian Law Caucus
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PROCEEDINGS

January 12, 2021 9:30 a.m.

CHAIR LE MONS: Good morning, staff.
Good morning, commissioners.
And good morning, California.
Welcome to day 2 of our first meeting of 2021. At this time, I'd like to go to Director Claypool for roll call.

MS. SHEFFIELD: I'm here. I'm here.

CHAIR LE MONS: Hi, Wanda. Sorry about that. I didn't see you. So I'd like to go to Wanda. Ms. Sheffield, you do recall.

MS. SHEFFIELD: Commissioner Sadhwani.

COMMISSIONER SADHWANI: Here.

MS. SHEFFIELD: Commissioner Sinay.

COMMISSIONER SINAY: Here.

MS. SHEFFIELD: Commissioner Taylor.

VICE CHAIR TAYLOR: Present.

MS. SHEFFIELD: Commissioner Toledo.

COMMISSIONER TOLEDO: Here.

MS. SHEFFIELD: Commissioner Turner.

COMMISSIONER TURNER: Here.

MS. SHEFFIELD: Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Here.

MS. SHEFFIELD: Commissioner Yee.
COMMISSIONER YEE: Here.

MS. SHEFFIELD: Okay.

Commissioner Ahmed.

COMMISSIONER AHMAD: Here.

MS. SHEFFIELD: Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Here.

MS. SHEFFIELD: Commissioner Andersen.

Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Here.

MS. SHEFFIELD: Commissioner Fornaciari.

COMMISSIONER FORNACIARI: Here.

MS. SHEFFIELD: Commissioner Kennedy.

COMMISSIONER KENNEDY: Here.

MS. SHEFFIELD: And Commissioner Le Mons.

CHAIR LE MONS: Here.

MS. SHEFFIELD: Thank you.

CHAIR LE MONS: Thank you. We have confirmed quorum?

MS. SHEFFIELD: Yes, it is.

COMMISSIONER ANDERSEN: Commissioner Anderson also here.

MS. SHEFFIELD: Got it. Thank you.

CHAIR LE MONS: All right. Thank you, everyone. So I'd like to at this time go to Jesse so he can read the instructions. We will go to our opening public comment.
And this is the general public comment, Jessie. And that means that callers can speak on any topic.

PUBLIC COMMENT MODERATOR: In order to maximize transparency and public participation of our process, the commissioners will be taking public comment by phone. To call in, dial the telephone number provided on the livestream feed. The telephone number is 877-853-5247. When prompted, enter the meeting ID number provided on the livestream feed. It is 939 8946 6294 for this week's meeting. When prompted to enter a participant ID, simply press pound.

Once you have dialed in, you'll be placed in a queue from which a moderator will begin unmuting callers to submit their comments. You will also hear an automated message to press star 9. Please do this to raise your hand indicating you wish to comment.

When it is your turn to speak, the moderator will unmute you and you will hear an automated message that says, the host would like you to talk and to press star 6 to speak. Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you're waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. These instructions are also located on the website.
The Commission is taking public -- general opening
public comment at this time.

Good morning, caller. Could you please state and
spell your name for the record, please?

MS. McELROY: Yes, my name is Debbie D-E-B-B-I-E
McElroy M-C-E-L-R-O-Y. And I thank the commissioners and
all of their staff for all of the information that you
provided for us to review.

And last night, I went through the information that
you put together for the public meetings -- the education
meetings that you're going to be presenting at. And I
just had -- as a relatively new person to this whole
process, I just have a couple of suggestions.

At the beginning of the presentation, and I believe
it's slide 2 you talk about the redistricting. And I
think it would be helpful if maybe you add a slide 2A
that basically shows that you're doing four different
maps, the Congressional districts -- Federal
congressional districts, the State assembly districts,
the State Senate districts, and the Board of
Equalization. And I did not realize that there were four
different maps that you're drawing the lines for. And
yes, there's some place where you talk about that, but I
think having a separate slide that makes that clear would
be very helpful to the people that are at these meetings.
And that maybe you want to have a separate handout piece that you explain each one of those four maps and you do talk about the reapportionment and that's what the Congressional seats are based on. But it would be helpful for people to understand a little bit more about that. And then also, all of the rules that go around all of that.

Somewhere in your presentation, you say when people want to submit comments towards the community of interest groups or whatever you say you have to understand the rules. And I think it would be helpful if you had a separate handout that basically explained how the Congressional districts are based on populations, that they have to be equal. Explain the rules around the Senate that it has to be two contiguous Assembly districts. And I don't even understand what the State Board of Equalization is all about, I don't have time to look into that.

So those are my suggestions for the materials that you're planning to use. And again, it was very helpful, all the information that you have out there. But if you're going to go out and talk to people, I think you should be providing a little bit more information about what these maps are and what they represent. And -- and all of you know all of this, the people you're going to
be talking to may or may not know it. So again, thank you for all of the information you provided.

CHAIR LE MONS: Thank you, Ms. McElroy. We appreciate it. And this is great feedback because our whole intent is to educate the community, so getting that feedback of what is unclear and where we need to dig a little deeper we really appreciate it.

Jesse, do we have any additional callers in the queue?

PUBLIC COMMENT MODERATOR: There are currently no callers in the queue, Chair.

CHAIR LE MONS: Okay. Well, we thank Ms. McElroy for her comments. And we will be having open public comment again later in the afternoon.

Commissioner Sinay?

COMMISSIONER SINAY: I think she brings up a great point. I mean, all her points were really good. And I think as we're sharing this -- and I know I'm the first one out, so I'll be the -- the guinea pig for us all next week -- but if we can share what questions came up, maybe staff can create a forum where we -- we respond back on how the presentation went and what questions came up. So if we're seeing that we have the same questions, that means we need to clarify something.

CHAIR LE MONS: Thank you for that.
Any other commissioner comments? Commissioner Anderson.

COMMISSIONER ANDERSEN: Thank you. Just a general. Commissioner Fornaciari yesterday brought up the discrepancy like terminology words with maps and the different types of maps, which Ms. McElroy her comments reminded me. What we came up with on the line drawing RP is district maps. Always use district maps when you're talking about any of our four districts that we're drawing, the big maps.

Otherwise, then -- because we talk about COI tool the COI map. And then if we're talking about the COI map, use the community of interest map and don't -- or the community of interest tool. But make sure don't just use the word "map" because it's very confusing. So I think in terminology-wise, if we just try to pick that particular say district map when we're talking about the actual map drawing, that -- I think that would help.

CHAIR LE MONS: Thank you for that, Commissioner Andersen.

Any additional comments or feedback from commissioners?

Okay. So we're going to have a presentation in about twenty minutes. And so I think what I'd like to do is use this time in the interim to address agenda item
number 16, I'm sorry, not 16, 18, which are -- is our
discussion of future meeting dates and agendas.

Commissioner Yee was going to put together a little
bit of some recommendations for us. And we were going to
litmus that against the Gantt Chart. Commissioner
Kennedy was going to take on that responsibility. And
any other commissioners that are on subcommittees that
have timelines were going to look at those to be able to
provide feedback in this process.

So at this time, I'd like to turn the floor over to
Commissioner Yee to kind of guide this step of us
identifying upcoming meetings whichever months he has
addressed so far. So Commissioner Yee.

COMMISSIONER YEE: Okay. So -- and note I'm going
to have to hop off in about five minutes. So I'll launch
the dates and you guys can take it from there. So I'm
recommending we try to duplicate the February dates from
March. So thinking of March 8 and 9 and then 16 and 17.

And then I contacted Commissioner Vasquez and I'm
wondering -- and about her availability. She might be
able to do the 22nd, 23rd. So I'm thinking for that
third week of meetings to recommend we go back to Monday,
Tuesday then. So that would be 8, 9, 16, 17, 22, 23.

CHAIR LE MONS: Okay.

Commissioner Kennedy, you had mentioned thinking
that we would need something at least that first week of
March potentially based on some of the activities. Would
you like to provide your feedback and comments on that,
please? Or at -- on any of it.

COMMISSIONER KENNEDY: Yeah. Couple of things.
First of all, on this, I think echoes something that
Rosalind Gold had mentioned yesterday, if I'm not
mistaken, with the announced delay in the delivery of the
apportionment data to the President, which now has an
estimated delivery date of I believe it's March the 6th,
the timeline as it currently stands if we expect at least
a two-, if not a three-month delay between that delivery
of apportionment data to the President and the actual
release of the redistricting data to the state and then
we take the one month that Statewide Database has
indicated will be necessary for them to build the
database that we would actually be using, that the
timeline starts to have problems reaching a 15 August
target date for delivery of maps. I just wanted to
highlight that.

As far as a meeting in early March, the one thing
that I'm already aware of is the expectation that the
line drawer would be starting on -- is that March the 1st
or April 1st, Commissioner Andersen?

COMMISSIONER ANDERSEN: March 1st.
COMMISSIONER KENNEDY: March 1st. So if the line drawer is starting then, I think it would be useful for us to have a meeting right up front.

And again, as I mentioned yesterday, this is just to hold the date. As we get closer, we can decide whether to confirm that date or not. But I just think it would be wise for us to hold a day or two that first week of March for the purpose of meeting and starting to work with the line drawer. Any further hiring or contracting issues I don't want to get stuck in a situation where we need to have a meeting and we don't have meeting dates available to us. Thank you.

CHAIR LE MONS: Thank you. Do you have recommendations on which days that week? Commissioner Kennedy, do you have any recommendations on which days for the first week of March?

COMMISSIONER KENNEDY: I would be fine with 2nd or 3rd, I guess, don't want it to be immediately before the meeting on the 8th and 9th.

CHAIR LE MONS: Okay. So what we have so far as proposed dates would be March 2nd through 3rd for a two-day meeting, March 8th through 9th for a two-day meeting, March 16th through 17th for a two-day meeting, and March 22nd through 23rd. So we have most of the weeks covered.

Commissioner Turner?
COMMISSIONER TURNER: I just wanted to make note that that's every Tuesday of the month. And all -- I do have a standing meetings on Tuesdays, and although I'm willing to be and can adjust and be at two of the Tuesdays, which is what we're doing in February, I just want to give notice that the others I will not be present for on a Tuesday.

CHAIR LE MONS: Okay. Which weeks are those, Commissioner Turner?

COMMISSIONER TURNER: I can -- I don't have a preference of week. It's just that I cannot be gone every --

CHAIR LE MONS: Every --

COMMISSIONER TURNER: -- Tuesday of the --

CHAIR LE MONS: -- Tuesday.

COMMISSIONER TURNER: -- month. Yes.

CHAIR LE MONS: Okay. Okay.

So with that said, I know we talked about in the past shifting the days during the week. So let's go to Commissioners Fernandez and then Sadhwani.

COMMISSIONER FERNANDEZ: Yes. My -- right now as we have like 16th and 17th and 22nd and 23rd. And so there's really only two days in between those two meetings. So I would recommend that maybe we not meet
the week of the 23rd and meet the week of the 29th to --

I'm not sure -- as we know now building agendas and if
you only have two days in between, it's really difficult
to try to keep up with agendas and what's going to be
needed for those meetings.

CHAIR LE MONS: Are you referring to the March
meeting?

COMMISSIONER FERNANDEZ: March. I'm --

CHAIR LE MONS: The 22nd?

COMMISSIONER FERNANDEZ: -- I'm referring -- March,
yes. Because right now it's the 16th and the 17th, which
is a Tuesday, Wednesday. And then the recommendation is
to have the following Monday, Tuesday. So there's only
two working days in between those --

CHAIR LE MONS: Yeah.

COMMISSIONER FERNANDEZ: -- two meetings.

CHAIR LE MONS: I understand.

COMMISSIONER FERNANDEZ: So I'm suggesting maybe not
meet the week of the 22nd and meet the week of the 29th.

CHAIR LE MONS: Okay. Okay, great.

COMMISSIONER FERNANDEZ: And we could --

CHAIR LE MONS: I'll put --

COMMISSIONER FERNANDEZ: -- do the 31st and the 1st
so that will not be another Tuesday for Commissioner

Turner.
CHAIR LE MONS: Okay.

Commissioner Sadhwani.

COMMISSIONER SADHWANI: I really like Commissioner Fernandez's idea. The other piece, I don't have any problem with Commissioner Kennedy's proposal to add meetings that first week of March. I just want to -- I don't -- maybe Director Claypool or Commissioner Fernandez or Ms. Marshall who have more experience with the RFP process could weigh in here. The 24th and 25th of February, we will be finalizing VRA counsel, hopefully litigation counsel, outside litigation team, as well as a line drawer. In terms of the commission we'll vote on those -- all of those individuals or teams at that point in time.

How much time do we need to actually finalize a contract for them? That would be my only hesitation about having a meeting that first week of March, is that my guess is there's going to be a little bit of back and forth to finalize the actual contract. So we might just need a few more working days to hammer out some of those details. But I'm not familiar with that process, so if someone else could weigh in, that might be helpful.

That doesn't mean we can't meet, but that there will be other kind of business to take care of at that time, because we're kind of really packing a lot into the 24th
and 25th. So if there's other agenda items, I might almost just say let's have 24th, 25th, 26th of February and take that first week of March off to hammer out those contracts. Again, if someone else --

CHAIR LE MONS: Director Claypool.

DIRECTOR CLAYPOOL: So it's going to take a while once you approve it to put together a contract. And as Chief Counsel Marshall has pointed out, the biggest delay is going to be gaining signatures for these documents and getting them back and forth. Then it's going to have to go to review by the Office of Legal Services, which we hope will be fairly quick, we'll get a priority review. So I don't think that we will actually have the person under contract with a signed signature on the 1st of March. We will have a line drawer as soon as we select one and we say that's our person.

And as it happened the last time, the line drawer is going to start working right from the time they know they're the person that's going to be done -- or going to be doing the lines. But the actual contract itself, I would imagine, is going to go into the first week and possibly the second week of March to get all the signatures done.

CHAIR LE MONS: Go on, Commissioner Sadhwani.

COMMISSIONER SADHWANI: Great. Thank you. So given
that, yeah, I might actually recommend perhaps adding
that Friday the -- I believe it's Friday, February 26th
to our agenda just to make sure that we have enough time
in case there's any deliberation over the decisions, in
case there's a lot of public feedback or comment and then
not meeting March 1st.

And I don't know, Commissioner Kennedy, if you feel
differently about that. I'm certainly open to it, but
just knowing how hirings have gone previously, I might
suggest that.

My other question is, are we anticipating starting
to go out and doing some of those COI meetings, the
mapping meetings, in March in that latter half of March?
Is that the plan or was it in April? If so, we should
start thinking about, even if we don't have dates for
those outreach meetings, we might just want to have that
in the back of our minds as we're planning out our
business meetings.

CHAIR LE MONS: Commissioner Sinay then Commissioner
Anderson.

COMMISSIONER SINAY: So here's a challenge we've
had, I don't think anyone has taken ownership of the COI
input meetings. And if that should be at the outreach
working group, please let us know. We had thought our --
we were going all the way to the public information and
then the line drawing team was taking the COI input and
designing those. But if that's not how it is, let us
know. But I know that a couple of commissioners have
asked me, and we've been nervous about this. So I think
it's a good time to decide who's in charge of those so
that we can be clear on all of it.

CHAIR LE MONS: Commissioner Sadhwani, do you have a
reply to that or -- no? Okay.

Commissioner Anderson.

COMMISSIONER ANDERSEN: Thank you. Yes, I do
believe we're going to need the line drawing, we're going
to be evaluating the proposals. They're actually going
to be due before 4 o'clock on Monday, the 22nd. We will
be evaluating them. And part of that is having them do a
presentation for us. So in that 24, 25, and I am
thinking go to 26, particularly if we're all doing this
line -- the VRA contracting as well, we'll need that time
because we're going to need to arrange presentations in
there and then we pick the line drawer. And I would
actually like -- because then there are the procedures
through that exactly what we do and how that works.

And then I think we should have like a -- remember
how we were talking about doing a training session or
just a bit of a this is how it really works, and have one
of those in that first week of March. So I would like to
have like a day or two in that first week of March just
to kind of get things so we know what's going on, work
out just a plan, or just make it all refresh it in our
minds of how this could actually work so we can actually
put all our plans together. It is nothing like seeing
how things actually could occur to really solidify in our
minds. So I do think we should continue that 24, 25, 26
given the amount of material that we need for those days
the amount that we have to cover.

And I do think it could be the 3rd, 4th, maybe
March, have the line drawers start, we go a little
orientation on the 1st and they actually do something
with us on Wednesday, Thursday -- Wednesday or Thursday.

CHAIR LE MONS: Okay. Let me just recap where we
are so far. We have a proposal to extend the last week
in February meeting to add a day to handle the business
that's going to be necessary. So they'll be adding the
26th.

We have a proposal to also keep the first week of
March, excuse me -- yeah, the first week of March, and
look at maybe the 3rd and 4th, which kind of addresses
Commissioner Turner's Tuesday issue. And then the keep
the 8, 9, 16, 17, and then potentially not meet the week
of the 22nd and schedule a 31, one meeting for that last
week of March.
Does anyone have any objections to that pattern?

Commissioner Akutagawa.

COMMISSIONER ANDERSEN: Why -- say maybe --

CHAIR LE MONS: Excuse me. Excuse me, Commissioner Anderson, Commissioner Akutagawa has the floor.

COMMISSIONER AKUTAGAWA: I'll -- go ahead, Commissioner Anderson, I'll go after you.

COMMISSIONER ANDERSEN: Sorry. Could I just say I think we would possibly need one day, the 3rd would address both Commissioner Turner's issue and we still have a couple of days before the full meet 8, 9. Unless there's other items that need to. But for the line drawer I think it would just the one day would be required.

CHAIR LE MONS: Thank you, Commissioner Anderson.

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: So two things. One, I was going to suggest the same thing. I was going to ask if the intent of that first week of March is to be essentially what I think I heard Commissioner Anderson say is a training, could we do it perhaps just one day, maybe that Wednesday, the 3rd so that we can also avoid multiple Tuesdays for Commissioner Turner?

And then the other thing I wanted to note for everybody's just consideration is that March 31st is a
Cesar Chavez holiday, which is technically a state holiday for the State of California. So --

CHAIR LE MONS: Okay.

COMMISSIONER AKUTAGAWA: -- we may want to work around it.

CHAIR LE MONS: Okay. So I think we --

Does anybody else have any objections to anything other than that last week of March at this point? So we have adding the 26th, we have one day during the week of the first week of March the 3rd, 8th, 9th, 16th, 17th, and now we're just working out those last days.

So would we like to leave it the 22nd, 23rd, or choose some different days that week so that we avoid another Tuesday? But I believe those were, the 22nd, 23rd was when Commissioner Vazquez is available.

Are you available, is that confirmed, Commissioner Vazquez?

COMMISSIONER VAZQUEZ: No, it's not confirmed. I --

CHAIR LE MONS: Okay.

COMMISSIONER VAZQUEZ: That week is just up in the air. The best case scenario is that I am available.

CHAIR LE MONS: Okay. Thank you.

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: I mean, would it be possible to consider maybe April 1st and 2nd? I do like
that idea of skipping the week of the 22nd, especially if we have to also consider some of the public meetings that we need to -- public input meetings that we need to start thinking about scheduling.

CHAIR LE MONS: Okay.

COMMISSIONER AKUTAGAWA: That (indiscernible, simultaneous speech) --

CHAIR LE MONS: Does anyone have any -- okay. Does anyone have any objections to the 1st and 2nd?

Commissioner Anderson, did you have something to add?

COMMISSIONER ANDERSEN: I'm just -- was that of April, the 1st and 2nd of April?

CHAIR LE MONS: Yes.

COMMISSIONER ANDERSEN: Oh.

CHAIR LE MONS: Yes.

COMMISSIONER ANDERSEN: Thank you.

CHAIR LE MONS: Commissioner Sadhwani.

COMMISSIONER SADHWANI: I do technically have a political science conference I need to be at. It's Zoom-based, so I could maybe try and come back and forth, but I will be presenting there.

CHAIR LE MONS: On both of those days?

COMMISSIONER SADHWANI: Yeah.

CHAIR LE MONS: Okay.
Commissioner Vazquez?

COMMISSIONER VAZQUEZ: I was just going to flag that the 2nd is Good Friday. I don't know if folks were planning to celebrate, but --

CHAIR LE MONS: Okay.

I see Commissioner Sinay, I think you're going to suggest that as well, that it's Good Friday? Okay.

So we are trying to solve that last week. Let's see if we can do this in the next sixty seconds. We can either stay with what we have, the week of the 22nd, and pick two different days. Maybe we pick the 24th, 25th, 25th, 26th. That's one option. Or we can pick two different days of that final week avoiding the holidays. It sounds like the only way to avoid the holidays would be to do the Monday, Tuesday, 29th and 30th.

UNIDENTIFIED SPEAKER: But that was -- that wasn't --

CHAIR LE MONS: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Since that week is up in the air for Commissioner Vasquez, maybe we just do the 25th and 26th of March. Because we were trying to avoid the Tuesdays also.

CHAIR LE MONS: Okay.

Is everyone else okay with --

Commissioner Akutagawa?
COMMISSIONER AKUTAGAWA: Yeah, unfortunately, the 25th I have a program that's that day. I mean, if we're trying to avoid people's things, I just will chime in on that. What about if we do Monday the -- if we do two with days in between, like Monday the 29th and April 1st?

CHAIR LE MONS: How do people feel about that, Monday, the 29th and April 1st? I see thumbs up. Anybody just totally against that? Okay. So I think we're going to go with that.

So this is what we're looking at, we have adding the 26th of February. We have March 3rd. We have March 8th and 9th. We have March 16th and 17th. And then we have the Monday, the 29th and Thursday, the 1st of the last week of March.

General consensus. Anyone no? Can I see some thumbs up? Okay. That's the schedule. Hopefully --

Commissioner Vazquez.

COMMISSIONER VAZQUEZ: Sorry. So can we just run through one more time --

CHAIR LE MONS: Sure.

COMMISSIONER VAZQUEZ: -- that list.

CHAIR LE MONS: Okay. So I'm going to run through it one more time.

Staff, please capture this. We're adding the 26th of February to our 24th through 26th meeting. We will do
the first week of March, March 3rd. We will do March 8th through 9th, March 16th through 17th, and March 29th and April 1st.

It's now 10 o'clock. So I want to respect our guest's time and move forward. I'd like to now turn the floor over to Commissioner Fernandez to bring our guest forward on our panel. Which is to discuss incarcerated populations.

Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Thank you. Okay. Aleks is here. Is Karin here? Do I see Karin? I don't think I see Karin yet. I don't see her.

CHAIR LE MONS: Okay, so we'll give Karin a few minutes to join us.

COMMISSIONER FERNANDEZ: Yeah.

CHAIR LE MONS: Thank you, Commissioners for getting that scheduling piece worked out and using that time real well; I appreciate it.

So Commissioner Fernandez will give Karin a couple of minutes. Why don't we take a five-minute break and then that way, if you can hang back, Commissioner Fernandez, and orient your guest.

COMMISSIONER FERNANDEZ: Yes.

CHAIR LE MONS: And we'll come back in five minutes and start.
COMMISSIONER FERNANDEZ: Okay.

CHAIR LE MONS: So let's everyone take a five minute break, please. Be back at 10:05, so four-minute break.

(Whereupon, a recess was held at 10:01 a.m. until 10:05 a.m.)

CHAIR LE MONS: Okay, welcome back from the break.

Commissioner Fernandez is going -- with the support of Commissioner Sinay, will be leading our panel discussion on incarcerated populations with our guest.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes, thank you, Chair.

So I just want to give you a little bit of background. Assembly Bill 420 added election code Section 21003 in 2011, and then that was amended by Assembly Bill 2172 in 2018. And per the -- and we do have a one-page handout that we did provide for everyone. And per the Election Code, the legislature is requesting that California Citizens Redistricting Commission deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration.

And just for clarification, I just want you to make -- I just want you to -- to make sure that you understand this relates only to individuals incarcerated in state adult correctional facilities under the control
of California Department of Corrections and Rehabilitation.

The local jails, county -- the local areas, they currently already do it this way, where they are counted in their place of residence.

So in the past inmates have been counted as residing at the location of the state correctional facilities, rather than in their home communities.

The data is then used for the redistricting, which could result in distorted local and state representation. Because the Citizen's Redistricting Commission is an independent body, the legislature -- they were unclear as to whether they could require us to do this, or not. So that is why they're requesting and that's why we're coming forward because as a commission we need to make a decision if we are going to go with the request of deeming each incarcerated person as residing at his or her last known place of residence or keep them as they're counted now, at where they are resided in the -- at the correctional facility.

And so today, we do have two panel members and the first is to discuss why we should adjust the census figures; and we have Aleks Kajstura, I hope I said that right. She's with -- she's a legal director at the Prison Policy Initiative. And the Prison Policy
Initiative was a supporter of the initial legislation.

And then here to discuss how we would adjust the census data, we have Karin McDonald, who is a director of Statewide Database, and I probably don't even need to introduce her since she's been here, and I think all of us have been communicating with her. But she will go through how we would do this. And Karin has also worked with the California Department of Corrections and Rehabilitation the last few years to try to work out how we're going to receive that dataset.

And with that, I'm going to turn it up -- turn it over to Aleks.

MS. KAJSTURA: Good morning. Thank you for having me here today, Commissioners. So I'm the legal director at the Prison Policy Initiative and as the Commissioner noticed -- noted, we were proponents of the original legislation. I work -- I've been working on addressing issues of prison gerrymandering for over ten years across the country. So that's the context I'm here in today.

So first, let's start out with the problem that prisoner reallocation is trying to solve is. So when the Census Bureau publishes redistricting data, that data includes people who are incarcerated, counted at the location of the facility, rather than at their home address; which is the way that the Bureau counts
everybody else.

So using the census' data ends up distorting political representation. So states are now taking initiative on their own to fix the data to make it useful for creating districts that would have equal representation. And the California legislation provided a mechanism for doing this, and so, you know, it's now up to the Commission to decide whether to correct the data or leave it with the raw census data.

So why is the census data problematic? In California incarcerated people make up kind of big percentages of some districts. If you're looking at the Assembly District 32 has nearly eight percent of the district is actually people who are counted in prisons there, rather than actual district constituents. And there are five other districts at the assembly level that have over two percent of their population just coming from the prisons rather than from actual constituents.

The (indiscernible) examples can be found at the local government level, for example, in Solano County ten percent of a Board of Supervisors District is people who are incarcerated in that county, rather than actual county residents.

And so for shorthand, we just call this prison gerrymandering. So how did we get to this point? So the
Census Bureau has actually been counting incarcerated people in this way since the very first census in 1790. But it wasn't until the rise of mass incarceration in the 1990s, with the following redistricting in 2000, where you could really see the impact in democracy. So mass incarceration had just gotten to a point where it was taking this methodology from the Census Bureau which in the past, didn't really make much of a difference and now, is actually skewing representation when you're using it for redistricting.

So the Census Bureau counts people incarcerated at the location of the facility because it uses this kind of definition of residence that's where you eat and sleep most of the time, should be where you're counted. And there are two problems with that. One, it runs counter to state redistricting law in terms of residence. And two, for most incarcerated people it doesn't even meet the Census Bureau's own definition.

So you're looking at California, it's like most states. Your residence is defined as the place where you choose to be and don't intend to leave. So that's obviously not a prison. And in addition to the common law, the California Election Code is very explicit about this. It says that, quote, "A person does not gain or lose a domicile solely by reason of his presence or
absence from a place while kept in an almshouse, asylum or prison."

So the law is simple. Even people who are in prison, who cannot vote, still retain their home residence and that's where the representatives treat them as constituents. If they have a need to talk to a representative, they're going to go to their home representative.

And so counting people at the location of the prison, creates this disconnect between the redistricting data and where the constituents are. And for what it's worth, you know, this is even -- the way the Census Bureau counts incarcerated people is even against their own redistricting definition. Because if you're looking at where you eat and sleep most of the time, you know, the census is done every ten years. Average sentence life is about two years. But even looking within those two years, incarcerated people are not at the location of that facility. So when I say, you know, you're counted where you happen to be on census day, it literally is where you happen to be on census day. Because you get moved around between the prison facilities at the whim of the state. So you're not at any given facility for very long, even if you might be away from home. Your home is really the only place where you have a true connection to
the community, to your representatives.

And you can see this in the way that the Census Bureau counts other, similarly situated, populations. If you look at hotels. You know, some people say well the prison's always there, so they should be counted there. But if you look at hotels, you know, in a normal year, you'd have some place that's full all the time. Yet those people aren't counted just because the building's there. You -- everybody is counted at home, knowing that that's where they live, that's where their home is. If you look at boarding school students, for example, they're away from home, maybe also against their will. They have a place where they live, eat, sleep most of the time, yet they're counted back at home, because obviously that's where the community is. That's where they're representatives are through their parents.

But in 2020, unfortunately, the Census Bureau still counted incarcerated people at the location of the facility, leaving it up to states and localities to solve this problem. And although in the last decade or so, there's been a momentum among the states to correct the data, this problem was actually originally identified by local governments, because that's where the problem is starkest. That's where you can really see it clearly. You have governments that would be facing drawing Board
of Supervisors of county, City Council District that
would be entirely the prison and no actual local
constituents. So they'd be drawing a district that would
have an empty seat. At which point, it is just obvious
that, like, this data is wrong and so they adjust the
data on their own to solve this. After the 2010 census,
we found over 200 counties and municipalities across the
states that have done this, including ten counties in
California. So for example, if you look at Del Norte
County, their district, this is very rough numbers, about
5,000 people per district for the Board of Supervisors.
They have the Pelican Bay State Prison there. It's
overrule 3,000 people. So obviously, if you were to
include that in a district, you'd have one district
that's over half of the district population that would be
people in the prison, with no connection to the local
community.

And so the legislature's recommendation here is to,
kind of, take this approach that's been identified by the
local governments and apply it to have a statewide
solution where the state can actually reallocate
everybody back home.

And on that note, you know, this is really about
redistricting data. It doesn't tie into funding formulas
whether it's federal aid, state aid, local grants;
because one, it's -- the way the census data is done is that basically every agency that wants data from the census takes it directly from the census. Nobody's going to come looking at, hey, what did the districting commission use? Let's maybe use that dataset to allocate building funds.

So this is something that never really percolates back up into the system. And yes, you know, this is about political representation and once you have equal representation that might shift political power in the state. So that you have different priorities in the legislature and that might indirectly affect funding through that way. But there's no formula funding that uses this data, that will all continue to be the census data. And that's not saying that that's bad, because the funding formulas are often sophisticated enough to not be fooled by the prison miscount. For example, if you're looking at school funding, it's often the number of students. Basically, the funding gets -- the funding formulas have become so sophisticated that this is just not a problem at the funding level. It is a problem when you're looking at political representation.

And Karin will go over the data in detail, but I'd just like to make a general point, kind of, looking at a broader context here. The goal is to have redistricting
data that is more accurate than what the Census Bureau will give you. This doesn't mean -- basically no state can do this kind of reallocation perfectly. There are going to be flaws in the home address data that you'll have, like every state that's doing this. There'll be missing fields, something that's going to be incomplete. You can't, you know, plot somebody exactly on a map. And you know, to just overgeneralize and ballpark, I expect about eighty percent of reallocation to be very successful. And the end result is not going to be perfect data, but it is going to be data that is much more accurate than the raw data from the Census Bureau, because if you're thinking about it, the Census Bureau will count every single incarcerated person in the wrong place. Like, during this reallocation, you're going to get a lot of folks back into their communities so that they can be represented properly. And so, you know, once the Census Bureau publishes their data, it's really up to each state to fix it up and to use it for redistricting as they see fit.

COMMISSIONER FERNANDEZ: Thank you, Aleks. We're going to go straight to Karin and then we'll have -- we'll be open for questions after Karin's presentation.

MS. MACDONALD: Thank you so much. Thanks, Commissioners, for inviting me to be here and very happy
to be able to share this presentation with Aleks.

I'm going to share my presentation, if that's okay.

Just one moment, please, I want to share my screen. Just
pushed the wrong button of course; there you go.

All right, so this is a very brief summary asking
what and how, since Aleks just talked about the why. So
let's just start really quickly by recapping the
legislative history. Starting with 2011, Assembly Bill
420, the Davis Bill, which was the original bill, and it
outlined the legislative intent.

In 2012, there was a little bit of a cleanup bill,
Assembly Bill 1986, also by Davis and it made some
changes to the original bill to make it more efficient
for implementation. And then, in 2018, we have Assembly
Bill 2172, the Weber Bill. And that updated the bill,
made some modifications to ensure that the original bill
can be implemented consistent with legislative intent.

There is a lot of detail available. I actually gave a
presentation to the previous CRC on the Weber Bill, where
I outlined some of the changes. If you are interested, I
am sure the link to that presentation can be provided to
you or alternatively, I can just re-send that
presentation back over.

So background, really quickly, Election Code Section
21003, is what we're talking about and I'm summarizing
all of these things. So after April 1, and no later than July -- sorry. I'm trying to move this thing here. No later than July 1, in the ending with zero, the California Department of Corrections and Rehabilitation, CDCR, will provide a single database with information about every incarcerated person in a facility under the CDCR's control, to the California Redistricting Commission and the legislature.

Under subdivision (b) of Section H253 of the government code, it's the legislature's responsibility to provide a complete and accurate computerized database for redistricting. And that responsibility, of course, is fulfilled by the Statewide Database, which is why I'm here talking to you right now.

The 2010 Citizens Redistricting Commission voted in 2019, to make the Statewide Database the recipient of the file transmitted by the CDCR. And that was done at the tail end, obviously, of the last CRC's reign, so to speak. And they did that because the CRC really did not have any capabilities of storing the data or keeping the data. The data was sensitive of course. And, of course, also because the ultimate responsibility for building the dataset, the redistricting dataset is fulfilled by the Statewide Database. So just having this particular dataset floating around doesn't really help anyone.
The legislature also, for that reason, designated the Statewide Database as a recipient of the file transmitted by the CDCR.

So the transmitted data, to talk about that. On May 11, 2020, the CDCR did transmit the file. As Commissioner Fernandez said, I've been working with them for quite a few years to make sure that the sets were correct. That we all knew what we needed and, you know, that the fields were right, and we understood what we were seeing in the file. We have, in the past, received a couple of test files. So this has been a good collaboration with the CDCR.

They transmitted the file early, earlier than they had to and they transmitted to us, essentially the same data that they transmitted to the Census. And that, of course, is a great thing. We have talked about that in the past as we didn't want, you know, two separate datasets to be transmitted partially, because of something that Aleks was talking about; that people are moved all the time. And we just wanted to make sure that we have the same numbers reported in the facilities, you know, that -- in the dataset that's going to Census as opposed to us.

We got a single file, and the following information was supposed to be in it and, you know, as available for
each incarcerated person. It was a unique identifier. We don't have, you know, names of incarcerated persons. We have residential address or addresses. It turned out that some incarcerated persons have multiple addresses that were provided over time, at which the person was domiciled prior to incarceration. And then the file also includes person's ethnicity and race. That is an interesting one, because, of course, CDCR does not use the census form to collect race and ethnicity, so that there are definitely some differences between the census data and the CDCR data. And then the location of the facility of incarceration.

And very kindly the CDCR also sent us a separate file just to make sure that we had all the addresses of the facilities properly, you know, in our dataset so that we knew where they were.

The CDCR transmitted 122,730 unique IDs to the Statewide Database, so these are unique incarcerated persons. The first geo code -- so geo code is when you take, essentially take an address and you locate it on a map. When we first ran this dataset we got roughly a fifty percent match. There were 14,948 complete addresses that could not be matched. And so what that means is that the geography file that we're using, were basically geocoding into the census geography and we...
could not find those addresses. We're working on those addresses individually and we have been able to match many of them already. But this is an ongoing process.

Then, if you have your calculator out, you know that there is a remaining 41,076 addresses. So they -- those are addresses that don't have complete addresses. They're not complete. They may have just a city, for example, or a house number is missing and so forth. Of course the law provides what we're supposed to do with this, so we're going to be working on those separately.

Once we have the complete addresses match, we're going to move to the 41,076 addresses to see what we can do with those.

But just like Aleks said, I am very hopeful that we're going to be able to match many of these, you know, almost perfectly. And the other ones we're just going to match to the smallest unit that we can possibly reallocate them to.

So Election Code Section 21003 then says that the legislature, in coordination with the CRC, shall ensure that the CDCR dataset is incorporated into the Statewide Database. We are working on that. As I just explained, we are preparing the data to be incorporated once we actually have a census dataset. So that we can do the adjustment rather quickly.
The Statewide Database will then adjust the total population and the race and ethnicity based on the CDCR dataset by removing the data of the incarcerated persons from the geographies where they were enumerated, either facilities, and reallocating them in the geographies of their last residence, if possible. And if we can't do that, then there is a random allocation process. If the specific residential address is not available, then the smallest geographic unit possible will be used for the geographic reallocation.

And the legislature requests that the CRC deem each incarcerated person as residing at their last residential address rather than the place of incarceration.

And that is my summary of this, the what and the how. And I'm happy to answer questions, of course.

Thank you.

COMMISSIONER FERNANDEZ: Thank you. Chair Le Mons did you want to handle the people asking questions? Or how did you want -- or --

CHAIR LE MONS: You can feel free to facilitate that process if you like.

COMMISSIONER FERNANDEZ: Okay, that's fine. Do we have any questions for our panel? Okay. Let me -- I have, let's see, Commissioner Akutagawa, then Turner, and then I saw Toledo. Hold on, let me write these down.
Kennedy, who else? Oh Marion? Marion, and we've
got Ahmad and Anderson. Did I miss anyone.

Okay, so we'll start with --

CHAIR LE MONS: And Taylor.

COMMISSIONER FERNANDEZ: Okay. Sorry.

CHAIR LE MONS: And I'll help you out. We'll work
together.

COMMISSIONER FERNANDEZ: Thank you so much. I
appreciate it. So we'll start with Commissioner

Akutagawa.

COMMISSIONER AKUTAGAWA: Okay. I think I'm just
going to ask why -- this is probably just going to sound
a little silly, but I just want to ask, perhaps,
clarification on a obvious question. This is for Karin
MacDonald. If the legislature is requiring that the
datasets be incorporated into the data that the Statewide
Database has, and that there was actual legislation
passed, I think just for clarification, I think we as the
CRC, as the Commission, are being asked to vote and
affirm that? Or -- I guess, and if that's the case, I
guess I'm just kind of questioning why? If it's already
been passed as law, isn't that something that we would
just then have to follow?

MS. MACDONALD: I think that might be a question for
your council, Commissioner Akutagawa.
COMMISSIONER FERNANDEZ: So I guess maybe the other question would be -- that is associated with Commissioner Akutagawa's question is, you're going to adjust the data in the Statewide Database in terms of you're going to move them from this area? What if the Commission decided not to do that? Would we have to then readjust the numbers of that? Is that what you're asking Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: Actually, I guess I'm just -- well, I mean, that's another way to look at it. I guess I'm just questioning why we would even have to -- maybe like formally approve it, when it sounds like it's already been passed as law, and it sounds like this is something that we have to follow?

MS. MACDONALD: At this point, they are requesting that we do it, because they cannot dictate. Or they don't -- they didn't feel that they can dictate that to us.

MS. MACDONALD: Commissioner Fernandez, would you like me to address the second part of the --

COMMISSIONER FERNANDEZ: Sure. Of course.

MS. MACDONALD: Yeah. So it is now law that the cities and counties have to use the adjusted datasets. So in case that you would not want to do that, then we would essentially produce two datasets. One that has the
adjustment and one that doesn't.

COMMISSIONER FERNANDEZ: Okay. Thank you.

Commissioner Turner?

COMMISSIONER TURNER: Thank you. Karin, I just wanted to understand. On the reallocation and then matching up the addresses and all of the other piece parts, you also said that when that was not -- when that could not be done, you spoke about the adjusting it to the smallest geographic something or other. I didn't understand the phrasing. Tell me what that -- what does that mean?

MS. MACDONALD: Yes, thank you, for that question and apologies if I was not clear about that. For example, if an address only says that the last, you know, the last residential address was in Oakland, then we would randomly allocate the person into Oakland. Or if it were the last residential address is in Solano County, then the person is allocated randomly in Solano County. So we will allocate into the smallest geography that we have information about.

COMMISSIONER TURNER: Thank you.

COMMISSIONER FERNANDEZ: Commissioner Toledo?

COMMISSIONER TOLEDO: Thank you. I just, I wanted some clarification. In one of your slides, Ms. MacDonald, you mentioned there were 122,000 unique
identifiers, but only 60,000 were geocoded. Does that mean you're reallocating the 122,000 or the 60-- or the half that were geocoded? Thank you.

MS. MACDONALD: Yeah. Thank you for that question.
So when we got 122,000, you know, addresses, the first thing or actually fields; the first thing you do is you figure out how many will match, right? So we ran them through a geocoder and, of course, they were databases set up to geocode, because we geocode the voter registration file every election. So we essentially use that same process and -- people talk about hits, how many hits did you get? And about half of them were geocoded right away, we didn't have to touch them.

So then we looked at, okay, what wasn't geocoded, and the first thing that happened was we saw that there were 14,000-something addresses that did not get hits, but they looked like they were perfect addresses. So we're looking at why is that. So we're going one by one. And for example, one could be -- it says it's the street, but not an avenue. So then that gets changed from the street to an avenue, because we have a perfect address but that, you know -- that's the -- those are the kinds of errors that are in there.

So currently, we have geocoded, first the 66,000, then some of the 14,000; I think most of them already.
And we're working through the remaining ones to get as close as possible to geocoding or randomly allocating all 122,000, if that makes sense.

CHAIR LE MONS: Thank you.

COMMISSIONER FERNANDEZ: Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Commissioner Fernandez.

Happy New Year, Karin.

Question: the handout makes it clear that what we're looking at here is populations in state prisons. What about federal prisons? How are federal prisoners handled?

MS. MACDONALD: Yes, thank you. So there are not that many federal prisoners and we have a notation in the data set that says whether there are some federal prisoners in one of the facilities -- one or more of the facilities that are under the control of the CDCR. And there is a little provision in the law that those essentially be removed from the -- from the place where they were enumerated. But they're not to be allocated to a district or a geography. And aside from that, we did not receive any data about federal facilities. So that's not part of the law.

COMMISSIONER KENNEDY: But if we're going to try to be consistent, should we not make at least a good-faith
effort -- the "we", the Commission, make a good-faith
effort to obtain information about inmates in federal
facility. And Aleks jump in if you'd like. I'm just --
I'm trying to come up with something that makes logical
sense and is as comprehensive as possible and as fair as
possible.

MS. KAJSTURA: Yeah, so it would definitely make
sense to treat federal people in federal prison the same
as the state prison. Unfortunately, the Bureau of
Prisons, which runs the federal prison system and -- has
control of the addresses for those folks is refusing to
cooperate with states and give out any information. So
most states -- it's to the degree that most states don't
even count on that data coming in the law, which is why
it was written the way it was.

COMMISSIONER FERNANDEZ: Thank you. Marian.

MS. JOHNSTON: Thank you. My question, you said
you'd do it as quickly as possible. I understand you're
getting everything ready ahead of time. But given that
the Commission's already facing a delay, do you have a
time estimate about how long it would take you to make
those adjustments?

MS. MACDONALD: Yes. Thank for that question. We
will obviously be done before the Census data arrives.
You know, Statewide Database, we're a small shop and we
do, you know, the most important things first, so this is something that we have been working on and it will absolutely be done by the time the Census data arrives.

MS. JOHNSTON: But you can't integrate it until you get the Census data. How long will the integration take?

MS. MACDONALD: That's correct. Well, as -- I've said previously, we take one month to bring the previous data that we have corrected into the new Census geography and merge it with the new Census data. So this is just part of that. And it will be part of that four-week period of time that we'll need after the release of the Census data to give you a data set that you can use for, you know, Voting Rights assessments and for later on.

MS. JOHNSTON: Thank you.

COMMISSIONER FERNANDEZ: Commissioner Ahmad.

COMMISSIONER AHMAD: My question was answered. Thank you.

COMMISSIONER FERNANDEZ: Okay. Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you. I have a few. First of all, this is to Karin mostly. In 2019 the CRC authorized the Statewide Database to receive the CDCR data. And the, the legislature then approved that or maybe I have the wrong terminology, but does that mean we might have to redo it every ten -- every new CRC, do we
have to reauthorize that? Or is -- did the legislature essentially take that out of our hands?

MS. MACDONALD: I'm not sure that the legislature had something to with that, Commissioner Andersen. I think what happened is if you look at the time line when the data are sent over, that's just right at that time line when the new CRC's being, you know, selected. And so, it's kind of -- it's just kind of an awkward -- it's just an awkward time to send any data anywhere. I think perhaps your counsel could answer whether or not you have to renew that particular request. But I think it's pretty straightforward.

COMMISSIONER ANDERSEN: Okay. But that is something that has been done right now for us. But we might have to do, like, i.e., that's our future work the next Commission?

MS. MACDONALD: Yes, correct. That's possible.

COMMISSIONER ANDERSEN: Okay. Thank you.

COMMISSIONER FERNANDEZ: And just for clarification, Commissioner Andersen, the language that legislation -- or the elections code section says that the dataset -- is supposed to be sent to the legislature and to the Commission. So it's supposed to be sent to both of them. And so the Commission made the decision to have it go to Statewide Database and the legislature also chose to have
the dataset go to Statewide Database.

COMMISSIONER ANDERSEN:  Okay.

COMMISSIONER FERNANDEZ:  Instead of receiving it separately.

COMMISSIONER ANDERSEN:  Right. But my question is, you know, because one Commission that shuts down and the new one starts up. Do we -- might also redo that. So okay. Then, I've got the numbers. That -- those were -- ah. So the Statewide Database now actually has -- I believe Commissioner Akutagawa kind of said this, there are the two different files. You are required by law, Statewide Database, to make the changes from the other population data because is it cities and counties must use these data -- this data now -- this modified data?

MS. MACDONALD: Yes. That's my understanding.

COMMISSIONER ANDERSEN: Okay. And they're requesting that we do the same. And then, if we -- again, if we say, oh, we don't want to do that. You would actually just use the original data that comes from the Census Bureau?

MS. MACDONALD: That is correct. We would basically put out a second dataset.

COMMISSIONER ANDERSEN: Okay. Then the state populations you have, like, 127,730. Any ballpark idea on federal numbers?
MS. MACDONALD: I do not have federal numbers. I'm sorry.

COMMISSIONER ANDERSEN: Okay.

MS. MACDONALD: They -- because they were not part of this project --

COMMISSIONER ANDERSEN: Right.

MS. MACDONALD: -- so they were not submitted to us.

COMMISSIONER ANDERSEN: Is --

MS. MACDONALD: I -- Aleks might have a number, I don't know.

COMMISSIONER ANDERSEN: Is Aleks -- do you happen just a ballpark on federal numbers?

MS. KAJSTURA: Are you asking about federal facilities in California or --

COMMISSIONER ANDERSEN: Yes.

MS. KAJSTURA: -- people from California in federal facilities?

COMMISSIONER ANDERSEN: Oh, I see. Yeah, okay. Do you happen to have ballpark on either of those number?

MS. KAJSTURA: I can get those in the next couple of minutes if I can come back to it?

COMMISSIONER ANDERSEN: Great. Thank you very much. And then, just for our time line Ms. MacDonald, well -- you have to do a recoding, a re-geographic coding based on the new numbers if I understand it. They -- you know,
you take the old geography and you modify it for the new
geography. Could you give us a little bit more
information about that and when you are able to do that?

MS. MACDONALD: Yeah. I mean, first we have to wait
for the PL-94 data. So that's just the we use that
dataset that the census will release. We have to wait
for those data to be released and then, we will see
what's reported in the group quarters file. And then, we
will essentially match that to what we have. And then,
take people out of the group quarter and relocate it into
the new geography. And then also, adjust the race and
ethnicity numbers.

COMMISSIONER ANDERSEN: Yeah, well -- what I was
talking about is actually the new geography. You -- at
some point you do that and you modify everything over.
Could you give a little bit more information to us on
that so it's -- we all understand it in our -- in the
timing of all this.

MS. MACDONALD: Yeah. So the new geography from
census, so that's the thing you title line file, will be
released sometime in February. So we will have the new
census block. And then -- but we still really can't do a
whole lot until we have the new data reported because the
new data will be recorded on the new census block. And
the group quarters facilities are part of that. So
essentially, there's very little we can do short of just
making sure we have a very clean data set that we can
then -- you know, that's then ready to go as soon we
data. And then we run, you know.

COMMISSIONER ANDERSEN: Okay. And that's why it
takes from the time you get this data, it takes about a
month before it would be eligible -- able for us to be
able to use it.

MS. MACDONALD: That's correct. I mean, as you
know, all of you have been on our website at Statewide
Database, we have a lot of data. And you know, we
collect data with each election. And all of those data
are essentially on the old geography. And for you to
have those data available for a Voting Rights Act
compliance and so forth, all of that has to be moved to
the new geography because otherwise you're looking at,
you know, at apples and oranges. And, you know, there's
already -- it already is complicated enough without
having to do that when you're doing redistricting, you
know, on this level.

COMMISSIONER ANDERSEN: Thank you. And that also
affects the COIs at that point. Like any COIs that go in
now have to be changed over; is that correct?

MS. MACDONALD: Yeah. So the COIs -- so we are
still on the old geography, but luckily, even with all of
the delays, the census is a little compartmentalized. So they are able to give us geography pretty soon. So we're hoping before, you know, the big first wave of COI input arrives, we will be able to integrate the new geography into the COI tool. And yes, whatever we have on the old geography will -- we will move over.

COMMISSIONER ANDERSEN: Thank you.

COMMISSIONER FERNANDEZ: Okay. I have Commissioner Taylor -- oh, wait. I'm going to go back to Aleks and you have information for us. She's so good.

MS. KAJSTURA: So the latest quick answer I could get on federal correctional facilities in California, so that's when the facility's located in California as of the 2010 census was about 20,000. And then, in 2019, Bureau of Prisons reported out that people in federal facilities, nationwide, that came from California was about 9,000.

COMMISSIONER FERNANDEZ: Thank you, Aleks. I have Commissioner Taylor and then Commissioner Akutagawa.

VICE CHAIR TAYLOR: Good morning. Two questions and I like to hear things multiple times just to make sure I get it right. So Aleks, you're stating that the law regarding residents incarcerated populations is in contradiction to practice. Can you just repeat that for me, please? And my second question would be for Karin.
When we get the numbers -- when we get our dataset, will that be inclusive of the adjustment or will we have to adjust for it? Thank you.

MS. KAJSTURA: So yeah, residents law in California, as in most states, runs contrary to the way the Census Bureau defines residents for the redistricting counts. And in California, it's in the Election Code Section 2025. A person does not gain or lose domicile solely by reason of his presence or absence from a place while kept in an armed house asylum or prison. So the -- basically, in terms of election code, which governs representation in the state, a person's residence remains their home address even while incarcerated.

MS. MACDONALD: Thank you for the question, Commissioner Taylor. You will not have to do the actual adjustment. Luckily, we will do that for you.

COMMISSIONER FERNANDEZ: Okay. Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: Yeah, thank you. I have three questions now. For clarification, how many federal prisons are there in California?

COMMISSIONER FERNANDEZ: I don't know if Aleks knows. I know. I don't know.

COMMISSIONER AKUTAGAWA: Yeah, I was just curious if the 20,000, you know, is it housed in one location or. I
mean. That's a very big prison otherwise, but.

MS. KAJSTURA: Roughly 15-ish. And I'm not really sure. Well, let's see. I can give you the counties real quick and sorry if I butcher these. Alameda, Contra Costa, Imperial, Kern, Kern, Lassen, Los Angeles, Los Angeles, Los Andros, Merced, San Bernardino, San Diego, Santa Barbara, three.

COMMISSIONER AKUTAGAWA: Okay. So all throughout the state. Thank you. My second question is, this is for Karin. You mentioned that there's a difference between the ethnicity and race data, between what the CDCR is, I guess the California Department of Corrections gives you and what you get from the census. What does that mean or what -- what does that mean? What's the difference and what's the impact?

MS. MACDONALD: Hi, Commissioner Akutagawa, this is -- this is one of those questions that we could probably talk about for five hours plus. So of course, you know, CDCR, they are collecting data for different reasons than the census. Right? So of course, what they're collecting in the way that how -- in how they're collecting it is a little different.

Also, you know, the census collect the fresh dataset, quote/unquote, every ten years. And CDCR, they have some people that have been there for quite some
time. And you know, input mechanisms have changed, filing systems have changed, databases have changed, and so forth. So there is a there's a little bit of a difference there.

So what CDCR does is they actually ask people to specify their ethnicity and then they assign a race based on that. And the way they're doing it -- and again, if perhaps I should send over the old PowerPoint that I showed the last CRC because I have a couple of slides on that issue on that PowerPoint. It is kind of interesting how they're doing it, and it definitely does not necessarily match up with census.

I looked at the previous census and found out that some -- in some cases there seemed to be an overuse of some other race category reported by the census. And I see those of you who work with the census data, smile a little. So that's when they -- when it didn't match up. Essentially, then the census says, well, that's just some other race. So you know, honestly, we'll do what we can with, you know, an imperfect dataset to make sure that we get these allocations done as best as we possibly can.

We'll see what they're going to report to us this time, and then, you know, we can report back about how well this is going to go.

COMMISSIONER AKUTAGAWA: Okay. And last question.
If we agree to do what's recommended to utilize the data for incarcerated people based on their home domicile, not their prison domicile. Would we need to vote on it or would the CRC in 2030 need to vote on it again or is this going to be the practice going forward without the next Commission having to vote again on this issue?

MS. MACDONALD: I think that's, again, a legal question. Perhaps Marian can help with that.

COMMISSIONER AKUTAGAWA: It looks like Kary might have that answer.

MS. MARSHALL: Just a quick response from my preliminary review. Unless it's changed in law by the time 2030 comes into effect right now, it just appears that the legislature is dictating the mandate for local jurisdictions to use the adjusted data for the prison populace. As of right now, it's not applicable to us. And just as a reminder, the legislator doesn't dictate CRC. We are an independent entity.

And I believe I'm earlier Commissioner Andersen actually, you know, touched base when she mentioned that it was applicable only to what was applicable to local jurisdictions.

COMMISSIONER AKUTAGAWA: Does that mean that if we agree to follow the recommendation to not utilize the prison population domicile or the prison domicile as the
address and instead their previously known residential address, does that become practice from here on out? So in other words, will the 2030 Commission need to revote on this again?

MS. MARSHALL: Well, just like you said, it's a practice. It's not the law. And until the law change -- is just be is the preference of that particular Commission

COMMISSIONER AKUTAGAWA: Got it. Thank you.

COMMISSIONER FERNANDEZ: Marian, were you going to respond to that as well?

MS. JOHNSTON: Just to add -- just as the prior Commission could not find this Commission, this Commission can't find the next Commission. So I agree with what Kary's recommendation was.

COMMISSIONER FERNANDEZ: Okay. Commissioner Sinay, and then Commissioner Kennedy.

COMMISSIONER SINAY: A question was asked, immigration detention centers are federal facilities. So therefore, they're not counted -- they're not -- those in those centers will not be part of this -- of these numbers you're giving us. But the immigration detention centers are not -- that they're not part of the 13 that you all had mentioned earlier. Right? Those are in addition to the federal the federal prison facilities.
COMMISSIONER FERNANDEZ: Aleks, would you know that -- would you happen to know that information? You're looking for it now, I can tell you. Let me go to -- how about if I go to --

MS. KAUSTURA: Yeah.

COMMISSIONER FERNANDEZ: -- Commissioner Kennedy or are -- you want to keep looking?

MS. KAUSTURA: Well --

CHAIR LE MONS: Can you -- can you ask her to please -- could you please go to Commissioner Kennedy?

And could we reserve the conversation to our state as opposed to federal because the federal issues don't apply to us. And if Commissioners have curiosities about those, there's all kind of resources available to be able to get your curiosity served. This would not be the forum for that line of questioning. I prefer that we not continue to go in that direction.

COMMISSIONER FERNANDEZ: Okay. Mr. Kennedy.

COMMISSIONER KENNEDY: This is not a matter of curiosity. This is a matter of people of California who may be in federal facilities. And we would like to have a way of counting them and including them in our process.

CHAIR LE MONS: That's correct. But Karin MacDonald and the Statewide Database will not be able to do that. That's been made explicit in our presentation and I think
it's -- for us to keep asking our guests questions about something that's beyond their scope and then having them do real time research for us. If that's something that we're interested in and we want to tackle as a Commission, the federal issue, then we should do that is my point.

COMMISSIONER KENNEDY: They -- I've printed out Election Code Section 21-003 and the -- even for 2030, it is -- it is using the requests language. So what we do is what we do.

COMMISSIONER FERNANDEZ: Okay. Any other -- Commissioner Andersen. And I will agree with Chair Le Mons, this is -- the focus right now is with the legislation and having to deal with the state -- the incarcerated people in state facilities. And so, Commissioner Andersen.

COMMISSIONER ANDERSEN: Thank you. Right now, the same counties must use this and therefore do so. And in terms of -- that's like the for all of redistricting within the cities and counties. If we also do this same, how does that actually affect the counties? And what I'm specifically wondering is, isn't that -- does that take funding because the population would be lower? So if funding goes down for their hospitals, schools, for everything or how -- what are the, you know, do you --
can you ask this, or can you answer this, or is that sort of beyond your expertise? And I think that's probably to Ms. Karin.

COMMISSIONER FERNANDEZ: Aleks had actually addressed it earlier, but I think she can go into more detail.

MS. KAJSTURA: Yeah. So it -- the redistricting data has no impact on funding because it is solely limited to redistricting data. There's no funding formula that looks to redistricting data to distribute funds. So it's a separate dataset that will just be used for redistricting, whether it's at the local level or The state level. Other states that have done these adjustments haven't seen any changes in the funding formulas exactly for these reasons.

And this is why, historically, counties have -- it's the counties that actually have the highest prison populations that have led this kind of change for their own -- for their supervisors redistricting. They'll actually do the only kind of adjustment they can, which is just to remove that prison population from their county count when they're doing -- when they're drawing their own board of supervisor districts. And it really has no impact on the funding they get because it's just the data they use for their districts.
COMMISSIONER ANDERSEN: Sorry. Just a minute.

COMMISSIONER FERNANDEZ: Commissioner Andersen, I thought it was the total funds are divided up by county based on population. Is that -- and then if they lose that population, obviously the county funds will go down? Is that -- is that not -- just not correct because I might misunderstand that?

MS. MACDONALD: Perhaps I could weigh in on this also, Commissioner Andersen. So I think what you're talking about is the fact that census data are just being used for a multitude of different reasons and public health data funding, as you said, and then also redistricting. What we're doing is we're just taking redistricting and essentially putting it into a separate box.

So the overall census data are not going to be affected for any other purpose. So essentially, just this one data set that goes to us to save our database for redistricting purposes, that's where the adjustment will happen. Everybody else -- all other data sets are based on census for the next ten years, like the APS, for example, which always uses the census as a platform and the decennial data as a platform, they will all remain the same. So none of these will be affected.

COMMISSIONER FERNANDEZ: Perfect. Thank you very
much. That was exactly my question. Any other
questions? I don't think I see anyone. Commissioner
Sinay, did you want to add anything as my partner?

COMMISSIONER SINAY: I wanted to just say that I
just have one. So just as an overview, as we started
going into this topic, we realized that -- well, I should
say Commissioner Fernandez, working in this area,
understood the how complicated was much quicker than I
did. But we didn't -- that it does get confusing with
the federal, the state, and the county jurisdictions of
the different prisons.

We also realize, as originally, we wanted to create
a panel that talked about these issues as well as
outreach, and we realized we needed to pull that --
separate them because outreach would also include county
and formerly incarcerated. So we will have those
conversations later. If Commissioners are interested in
more data about the federal -- getting a feel of that
federal, it is complicated for us to move forward on
that. And we could get general large numbers.

But as our two speakers have said, we can't -- it'll
be very difficult for us to pull them out and that that
percentage of our data will be 80 percent correct. As
Aleks had told us, that's kind of what the expectation
is. It's only going to get a little muddier if we also
try to add the federal. But you can let us know and we can see what we can find. But I wanted --

CHAIR LE MONS: Excuse me, Commissioner Sinay. I want to interrupt you. We do need to take a break. So I want to let the public know that we're going to take a 15-minute break and we'll come back and we'll continue this discussion. I hope our guests can stay in the event that we have questions. And thank you as well, Aleks.

Great, perfect.

So we'll pick up with you, Commissioner Sinay when we come back. And we'll take a fifteen-minute break and be back at 11:16.

(Whereupon, a recess was held from 11:01 a.m. until 11:16 a.m.)

CHAIR LE MONS: All right. Welcome back. So if we have -- I want to check to see if any Commissioners have additional questions for our panelists before we move to a motion to adopt the recommendation.

Commissioner Yee.

COMMISSIONER YEE: Yes. Thank you. Thank you to our panelists. I'm just trying to think of any reasons we wouldn't do this. I'm trying to think of who wouldn't want us to do this, you know, and then practically speaking, so check me on my logic here, panelists. I'm thinking so if we remove incarcerated persons from their
places of incarceration, those districts would end up
gеographically getting a little bigger, you know, to
capture replacement population.

And then, the districts where they're reallocated to
would get infinitesimally probably smaller, maybe in
practice actually not get smaller, but in theory get a
little smaller because they would have a little bit more
population. But again, that would not affect any actual
funding formulas for anybody who actually uses census
data. Is that the correct way of thinking? And if so, I
mean, it really doesn't sound like an effect that anyone
would oppose for any reasons I can think of.

I don't know. Have you heard of anyone? Has
anyone -- what, if anything, does anyone bring up in
opposition to this idea? Thanks.

MS. KAJSTURA: So the most kind of kneejerk reaction
in opposition is usually on the funding issue. And that
is, again, just a misunderstanding of how the data
functions. As Karin said, the redistricting data is in
its own box. It is not going to use for any federal or
any funding formulas.

So then you're limited to basically folks who will
lose out on this extra representation they've been
getting. And, you know, you're looking at the issues
nationally. We've had even representatives who have a
lot of prisons in their districts bring forth this sort of legislation because they do want to change it. So it's really comes down to very, very few people in a state that benefit from prison gerrymandering. Because if you think about the way it works, like you said, it's transferring a lot of people out of the prison district and you reallocate them back all over the state. So nobody really -- no district will gain all that much population. But that one district with a lot of prisons will lose the population for political representation.

And so then, if you look at it that way, even the district with the second most prisons in the state loses out representation compared to that one, because it's a skewing of representation all the way down the line. We looked at -- and we've been talking about local districts as well. And we looked at how this works out. We took a smaller state just so it's more -- it was easier for us to deal with. And we looked at Rhode Island and we looked at, okay, who benefits all the way through?

So from -- you live in a city that has a prison in it and you live right next to the prison, so you benefit from having that extra representation at the -- at your city council, your lower chamber state district, your upper chamber state district, and all the way through the political system. And we found that applied to 112
people that was 0.011 percent of the population.

So if you, you know, just over generalize, extrapolate to Californian, that would be about 4,000 people in California you'd expect to really benefit from prison gerrymandering. And those who liked that more than the principles of equal representation, I guess, could argue that let's keep up the way this.

CHAIR LE MONS: Thank you for that, Aleks. Any other questions or comments, Commissioners?

So if someone would like to put forward a motion. Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yes. Thank you. I would move that we adopt the recommendations of the subcommittee that we the 2020 Citizens Redistricting Commission -- I'm reading this here off of their handout, which is posted online, shall deem people incarcerated in a state correctional facility on April 1st, 2020, as residing at their last known place of residence rather than at the institution of their incarceration, as described in Section 21003 of the Elections Code.

CHAIR LE MONS: Is there a second, Commissioner Andersen? Could you verbally second, please?

COMMISSIONER ANDERSEN: I'd second it.

CHAIR LE MONS: Okay. So let's go to -- I'm sorry, Director Claypool.
DIRECTOR CLAYPOOL: If I could just have that reference again on the -- very slowly, on the actual motion, please.

CHAIR LE MONS: Okay.

COMMISSIONER SADHWANI: So I'll read it again.

DIRECTOR CLAYPOOL: Please.

COMMISSIONER SADHWANI: We, the 2020 Citizens Redistricting Commission shall deem people incarcerated in a state correctional facility on April 1st, 2020, as residing at their last known place of residence rather than at the institution of their incarceration as described in Section 21003 of the Elections Code.

DIRECTOR CLAYPOOL: Thank you.

COMMISSIONER SADHWANI: And that was actually the recommended action of the subcommittee in the handout that is posted on our website.

DIRECTOR CLAYPOOL: Thank you.

CHAIR LE MONS: Thank you very much, Commissioner.

Jesse, could you read the instructions, please? And we're inviting public comment on the motion and presentation that we just heard.

PUBLIC COMMENT MODERATOR: In order to maximize transparency and public participation in our process, the Commissioners will be taking public comment by phone to call in total the telephone number provided on the
livestream feed.

The telephone number is 877-853-5247. When prompted, enter the meeting ID number provided on the livestream feed. It is 93989466294 for this week's meeting. When prompted to enter a participant ID simply press pound.

Once you have dialed in, you'll be placed in a queue from which a moderator will begin and meeting callers to submit their comments. You will also hear an automated message to press star 9. Please do this to raise your hand indicating you wish to comment.

When it is your turn to speak, the moderator will unmute you and you'll hear an automated message that says the host would like you to talk and to press star 6 to speak. Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call. Once you're waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. These instructions are also located on the website.

The Commission is taking public comment on the motion to adopt the subcommittee's recommendation on incarcerated populations. And at this time -- and I would like to correct the meeting ID number is actually 91837803898.
Good morning, caller. Could you please state and spell your name for the record, please?


PUBLIC COMMENT MODERATOR: The floor is yours caller.

MR. PANE: Thank you. Good morning, Commissioners. My name is Eric Pane. I'm executive director of the Central Valley Urban Institute. You heard from us back in October of late last year. We sent you a letter. And we are coming before you again to stand in strong support of the committee's subcommittee's recommendations. Thank you for your time.

CHAIR LE MONS: Thank you, Mr. Pane. Our next caller, please, Jesse, if we have anyone in the queue. Jesse, are you there?

PUBLIC COMMENT MODERATOR: Yes, Chair, I'm waiting for the caller to unmute themselves. Callers, if you could please press star six. Good morning, caller. Could you please state and spell your name for the record, please?

MR. JONES: Yeah, my name is Ethan, E-T-H-A-N, Jones, J-O-N-E-S.

PUBLIC COMMENT MODERATOR: Thank you, Mr. Jones. Could you please -- or the floor is yours.
MR. JONES: Thank you very much. Thank you, Commissioners. My name is Ethan Jones. I am the chief consultant to the Assembly Elections Committee, and I am authorized to speak today both on behalf of California State Assembly and the California State Senate.

By way of a little bit of background, I have worked for the Assembly Election Committee for twenty years now. So I've been involved in the consideration of all of the legislation that the original enactment of Elections Code Section 21003 and the two subsequent bills that made changes to that original bill. You had excellent presentations from your two presenters today that gave a very good overview, both of the rationale behind the legislation and the mechanics of how this would work. So I won't repeat their points, other than just to point out that in enacting this legislation, the Legislature was concerned that the policy of having individuals counted in the facility where they are incarcerated for redistricting purposes undermines the principles of their representation. And that was the rationale for enacting this bill.

I know there's been a lot of discussion this morning about the fact that the legislation does not provide for people who are incarcerate in federal facilities to be reallocated. That was something that was considered
during the legislative process after the original bill was enacted in that first follow up cleanup bill, A.B. 1986 from 2012. And ultimately, it was due to concerns about the inability to get the data necessary to appropriately adjust census data from federal facilities that that was ultimately excluded from the legislation.

The -- in addition to those three bills as dealing with redistricting at the state level, there has been mention of the fact that in 2019, the California Legislature enacted Assembly Bill 849 by Assemblymember Bonta, which requires counties and cities, when they are doing their redistricting, to use the adjusted data. So this would be wholly consistent with that and shows the legislature continued interest in this issue.

I'd also note that we have worked very closely with Ms. MacDonald at the Statewide database to help make sure that CDCR gets her the information that she needs and to help make sure that the law is written in a way that it is able to be implemented by her. She was instrumental in helping come up with some of the language that went into Assembly Bill 2172 in advance of this year's redistricting process to make sure that the law was workable for her and that she could provide the Commission with the data so that if it chooses to go in this direction, you have the ability to do so.
The last point I'd just make -- and this was referenced earlier as well. The Legislature, in enacting Assembly Bill 420 and subsequent legislation in recognition of the fact that it is this Commission that has the ultimate authority to draw the district lines, made the decision that it would be appropriate for us to request for the Commission to make these adjustments in the data that you are using to draw district lines, rather than seeking to make that decision ourselves. And with that, I'm happy to answer any questions that any of the Commissioners may have.

CHAIR LE MONS: Do any of the Commissioners have questions?

Commissioner Kennedy.

COMMISSIONER KENNEDY: I believe that we are in something of a unique situation. And I would like to see us make at least a good-faith effort that I mentioned earlier to obtain information on federal prisoners. We have a new senator who has been Secretary of State and previously a legislator. I'm certain that Mr. Padilla is well aware of the history of all of this and the fact that he is going to be sitting in the Senate.

I would like to ask this Commission to request that Senator Padilla send a letter to the Bureau of Prisons requesting the data. We may not get it. But I would
like to see us ask for it. Thank you.

CHAIR LE MONS: Commissioner Sadhwani.

COMMISSIONER SADHWANI: I would agree with you, Commissioner Kennedy. And while we have Mr. Jones on the line, I wanted to ask if he knows if there's any individuals or persons that we should be in contact with to attempt to do that.

MR. JONES: Off the top of my head, I don't have recommendations about who specifically you should contact to get that information. This was something that was discussed in 2012, in the immediate aftermath of two states that had adopted similar policies for the last round of redistricting.

And the change that was made in the 2012 legislation was based, from my recollection, on the difficulty that some of those states had in obtaining that information. But off the top of my head, I'm sorry, I don't have suggestions about who you might be able to contact to best get that information.

CHAIR LE MONS: Thank you so much, Mr. Jones.

Jesse, do we have any additional callers in the queue, please?

PUBLIC COMMENT MODERATOR: Yes, sure. One moment, please.

Caller with the number ending in 7644, if you could
please press star 6 to unmute yourself. Good morning, caller. Could you please state and spell your name for the record, please?

MR. JONES: Oh, I've already given a public comment. Thank you.

PUBLIC COMMENT MODERATOR: That concludes all callers, Chair.

CHAIR LE MONS: Thank you so much. Thank you callers for your comments and feedback.

Wanda, I'd like to go -- barring any additional comments from Commissioners, I'd like to go to the vote. Any comments?

Wanda, could you call the vote, please?

MS. SHEFFIELD: Commissioner Sadhwani?

COMMISSIONER SADHWANI: Yes.

MS. SHEFFIELD: Commissioner Sinay?

COMMISSIONER SINAY: Yes.

MS. SHEFFIELD: Commissioner Taylor.

VICE CHAIR TAYLOR: Yes.

MS. SHEFFIELD: Commissioner Toledo?

COMMISSIONER TOLEDO: Yes.

MS. SHEFFIELD: Commissioner Turner?

COMMISSIONER TURNER: Yes.

MS. SHEFFIELD: Commissioner Vazquez.
Commissioner Vazquez?
Commissioner Yee?

COMMISSIONER YEE: Yes.

MS. SHEFFIELD: Commissioner Ahmed?

COMMISSIONER AHMAD: Yes.

MS. SHEFFIELD: Commissioner Akutagawa?

Commissioner Andersen?

COMMISSIONER ANDERSEN: Yes.

MS. SHEFFIELD: Commissioner Fernandez?

COMMISSIONER ANDERSEN: Yes.

MS. SHEFFIELD: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yes.

MS. SHEFFIELD: Commissioner Kennedy?

COMMISSIONER KENNEDY: Yes.

MS. SHEFFIELD: Commissioner Le Mons?

CHAIR LE MONS: Yes.

MS. SHEFFIELD: Motion passes.

CHAIR LE MONS: Thank you, Wanda.

MS. SHEFFIELD: You're welcome.

CHAIR LE MONS: So with that, we want to thank our guests, both Karin and Aleks, for joining us this morning.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes. When we was when we spoke with Karin about this issue, she also brought up a census data issue. I didn't know if we wanted to talk
about it now or maybe for a future issue. She had
concerns with the census data once we received it, so I'm
not sure if we want to do that now or table it.

And then the second piece of it is yesterday Fredy
mentioned the letter from Dr. Weber that we received. So
I think at this point it would be appropriate for us to
respond since the motion has already passed.

CHAIR LE MONS: Okay. So let's first start with Ms.
MacDonald.

Is that something you'd like to address while you're
here?

MS. MACDONALD: I will be happy to talk to you very
briefly about that. If you would like me to have time
for it.

CHAIR LE MONS: Sure.

MS. MACDONALD: Okay. So yes, I do. And I think
Aleks will agree. We -- I think many of us in the kind
of census user community have some significant concerns
about what we're going to get from the census. The
census is still working through some of the issues of
data release. Of course, many of you have probably seen
that they just posted another delay to the apportionment
data. They say that there are operational difficulties,
so the data get pushed back further and further.

And one of the things that's happening is that
they're using a new disclosure avoidance system called differential privacy. And with differential privacy, they are holding some populations invariant, but not prison population. So what that means -- and we could talk about this for a longer period of time also, so you may consider whether you want to agenda for a separate conversation. But just to give you the little nutshell, they are not reporting, essentially, the prison populations in the way that they were reported by CDCR to them.

So essentially, even though CDCR gave us, Statewide Database, the same data set that they gave to census, the census will be reporting these numbers differently. They will be reporting different characteristics, so the race and ethnicity will be different. And they will be reporting different total populations because of this disclosure avoidance system. And that is something that we are all grappling with. And I have certainly pushed back on that.

I don't know if Aleks wants to weigh in on it. I know -- I'm not -- we're not the only ones that have that problem. And it's also far from the only problem that we're seeing with this new disclosure avoidance system. But this is just to give you a heads up, because, you know, from the Statewide Database perspective, we're
supposed to give you an accurate data set. And of course, that relies on the fact that we are getting accurate data from the census.

So these things just become a little bit more murky as we go down the road. And I think you should have the heads up on this that there are some things that are in the works and that may create a problem.

CHAIR LE MONS: Thank you for that, Ms. MacDonald. We do have a subcommittee action on census. I'd like to encourage that. So I know you are already in communication with Ms. MacDonald at all regarding these issues, but we really will lean on that subcommittee to bring forward an agenize items, as we move forward, that that require a deeper dive or some additional attention from the Commission. And I believe that's Commissioner Sadhwani and Toledo.

So if you guys will take up the charge in that area, we know this is a moving target and ever evolving as it relates to the census and the census data. So whatever decisions that influence as we try to use our positions here to influence in the past will of course, want to continue to do that.

Does anyone have any questions regarding this topic for Ms. MacDonald or for Aleks? Okay with that, we -- you brought up a letter, Commissioner Fernandez, that --
Director Ceja would like to present.

Are you prepared to do that, Director Ceja?

DIRECTOR CEJA: Yes. So a few days ago we received a letter from Assemblymember, Dr. Shirley Weber, pretty much indicating that the Commission should consider counting individuals who are incarcerated in their last residence as opposed to where they're being held. And I do believe the Commission has taken the appropriate measures today, and that is the response that we'll include in the letter sending it back to Dr. Weber.

CHAIR LE MONS: Okay. Anybody have any questions regarding what Director Ceja referring to or our action? Commissioner Andersen?

COMMISSIONER ANDERSEN: I just have one thing I'd like to either propose or add to the lessons learned or put off note, is in 2029, I do recommend that we come back to this and reauthorize the Statewide Database to essentially do the same thing for us that the CRC information goes the Statewide Database. And we have this fantastic, very comprehensive, but concise conversation, essentially, they're great pros. There are essentially no cons.

And I would recommend that we write that up briefly for the 2030 Commission, so they don't need to go through this. And if we'd like to consider, you know, do we want
to put some legislation together, such that that's already in our charge and it doesn't have to be addressed every ten years? I don't know if Chair, you want to do something with that or we send that to the Lessons Learned Committee or like to address that.

CHAIR LE MONS: Two things. One is -- so I'm sure Commissioner Kennedy, who represents the Lessons Learned Committee, along with Commissioners Ahmed, are noting that. Also I know we keep referencing -- I'll take this moment to go on and officially establish the incarcerated population subcommittee that we keep alluding to that does it officially as this.

So we will -- I'm going to establish the Incarcerated Populations Subcommittee, which will be Commissioners Fernandez and Sinay. And then they too can take up this matter and associate -- associated matters as we move forward as a Commission and bring forward recommendations as well as agendas as appropriate, those issues that require us to have more involved deliberation and take actions on. Barring any objections to that, we'll move forward that way. Commissioner Fornaciari?

COMMISSIONER FORNACIARI: I just have a question for Ms. MacDonald. Seems like -- so do you have a kind of a best guess as to when we might see the census data at now, you know, considering the way things are? And then,
how do you think that the problems with differential privacy might impact that?

MS. MACDONALD: That's a big question, Commissioner Fornaciari

COMMISSIONER FORNACIARI: Yeah. I was kind of afraid to ask it, so -- but.

MS. MACDONALD: Yeah. So let me take the first piece first. Well, we're definitely not going to see the PL-94 data said by the last day of, you know, by April 1, essentially. It's going to be pushed back. If you're looking at what we found out yesterday, which is that the apportionment data are not even going to be out until early March. And if you look at previous timelines, which essentially had apportionment data out by the last day of December and then redistricting data, you know, basically by the end of March.

So there was a three month difference in between. I mean, over the thumb, of course, I know as much as you do. It looks like we're looking at a significant delay there. We know that they had originally -- when they first got the extension granted, that they then walked back, they had asked to be able to deliver data by the last day of July. And I think that data is starting to become more and more realistic, to tell you the truth.

So I think we may see the data a little bit before
then. But my guess -- and really this is only a guess, is that we're really looking at, like, June or July to get census data. And in terms of differential privacy, they have released four different, what they call demonstration products. So basically, test data sets where they tried out differential privacy on the 2010 census data just to see what it would do. And it's not pretty.

They're still working on this algorithm. Usually the census takes, you know, eight years or so to implement something new. In this particular methodology, they didn't start working on implementing until 2018. So you know, nobody's really surprised that they have a lot of issues with it, but they're also kind of operating a little bit in a black box, so they're not as transparent as we're used to. So when they're talking about operational challenges, we don't really know what that means. So there's a little bit of unease out there.

But you know, on the positive end, there are a lot of really smart people and, you know, state demographers and so forth that are trying to give input to census. And we're hoping that they're going to be receptive. We're hoping that with these delays, they're actually going to take that time and engage in more conversation with outside statisticians and people that know something
about privacy to see whether there is perhaps some
different methodologies that they can use and so forth,
because we know the data are going to be affected.

We're just not entirely sure to what degree and how
much of a problem it's going to be. For prison
populations at this point, if they are reporting, you
know, the group quarters the way that they're planning
on, it's definitely going to be a problem. It's going to
be a significant problem for the states that have to do
this and everything else, we're just not sure yet.

CHAIR LE MONS: Thank you.

COMMISSIONER FERNANDEZ: I think you're on mute,
Chair.

CHAIR LE MONS: Thank you for that. I said, with
that, I'd like to thank Aleks and Karin for their
presentations today and all the helpful information. And
then I was asking if, well, if Commissioners Fernandez or
Sinay had any closing comments.

Well, thank you so much for joining us. And I'm
sure we'll be seeing you again without a doubt. Have a
wonderful rest of your morning.

And I just want to say to Commissioners Kennedy and
Sadhwani, to please feel free to bring your concerns and
recommended actions to the newly formed subcommittee
around the incarcerated populations at the federal level.
And then, you know, be in communication with that subcommittee about any things that we might be able to do in terms of advocacy -- whatever it is that you're proposing that we want to do. And then agenizing those for our upcoming meetings as well so we can pursue that aspect of the matter.

Okay. Any other questions or feedback regarding this topic before we move on? See none. So what I'm proposing that we do is go on and break for lunch, now. I don't want to tell the public a different report time. So I'd like us to do the afternoon agenda item of the recommendations on language access, particularly because that has been a really hot topic and a lot of people have interest in it. And there was some request of us to try to nail down a time. So we did.

Originally, we were going to do it on Wednesday and because we were so efficient with our agenda and we got it done, which is going to be in two days, we moved it to this afternoon at 1:30. So my recommendation would be to break for lunch now return at 1:20, 1:25 in preparation for the 1:30 agenda item. That way, we give the public an opportunity for those who aren't tuning in and watching us live right now to know that that that's when we'll be back. And we'll tackle our final agenda item of language access recommendations at 1:30.
Do I have any objections from Commissioners on this plan?

Commissioner Fornaciari?

COMMISSIONER FORNACIARI: Yeah. Commissioner Sinay brought up a question earlier that I think we need to address that didn't get addressed. And that who has ownership of planning and scheduling or public outreach meetings?

CHAIR LE MONS: So my -- I thought when she asked that question -- I'm not professing to have the answer. But that was going to be determined as a part of our broader outreach plan. Isn't that one of the subsets of our outreach? Is that -- we're talking about a subset of our outreach. Is that right today, Commissioner Sinay?

COMMISSIONER SINAY: No. The assumption that we had been moving on was that when we did the community of interest input that that was going to fall under our line drawers to design those sessions and the times and stuff. And so we hadn't moved into that. We can, but we wanted to make sure -- you know, no one was -- no one was owning that piece up to now, and so we wanted to make sure -- I brought it up because I wanted to make sure we did have an owner.

CHAIR LE MONS: Couple things. What I recall is the line drawer subcommittee has put out within the RFP some
different models, if you will, and they're asking the line drawers to respond to it. And I think that's an outstanding question that will get more crystallized as we move forward in understanding the scope of what the line drawers are going to do. And I do feel that that dovetails with our broader outreach strategy -- is a subset of it. It's one of the types of meetings that we'll do.

So I think it isn't something that we need to define an owner today to make sure that it's happening. It's happening within a couple processes and will come together. And I think it'll make a little clearer about who that owner should be as we move forward.

So can that subcommittee -- which I believe is Sadhwani and Andersen, in concert with our director of communications, Ceja, in concert with our deputy executive director, Hernandez -- tackle this question? And of course, our executive director. But please tackle this question and come back with some recommendations at a future meeting as to how we're going to handle that. Is that okay?

COMMISSIONER ANDERSEN: Yes, absolutely.

CHAIR LE MONS: Okay. Looks -- I see a lot of affirmative. All right, so with that, we're going to break for lunch and I'll see everybody back at 1:25. So
we'll be ready to jump into our final agenda item at 1:30. Enjoy your lunch.

Welcome back, everyone. I hope you had a nice, enjoyable lunch. We're going to first go to public comment, as we do typically following our lunch hour, and receive public comment -- general public comment. And then we will come back after public comment and hear from our Language Access Subcommittee who has some recommendations for us to explore.

So Jesse, if you could read the instructions and invite the public forward for our afternoon public comment?

PUBLIC COMMENT MODERATOR: In order to maximize transparency and public participation in our process, the commissioners will be taking public comment by phone. To call in, dial the telephone number provided on the livestream feed. The telephone number is 877-853-5247. When prompted, enter the meeting ID number provided on the livestream feed; it is 91837803898 for this week's meeting. When prompted to enter a participant ID, simply press pound.

Once you have dialed in, you'll be placed in a queue from which a moderator will begin unmuting callers to submit their comments. You will also hear an automated message to press star 9. Please do this to raise your
hand indicating you wish to comment. When it is your turn to speak, the moderator will unmute you and you will hear an automated message that says the host would like you to talk and to press star 6 to speak. Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call.

Once you are waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. These instructions are also located on the website.

The Commission is now taking general public comment at this time.

Caller, if you could please press star six to unmute yourself.

MS. CAMACHO RODRIGUEZ: Hello?

PUBLIC COMMENT MODERATOR: Hello. Could you please state and spell your name for the record, please?


PUBLIC COMMENT MODERATOR: Thank you. The floor is yours.

MS. RODRIGUEZ: Thank you. I just wanted to say thank you to the individuals present for this hearing, and the wonderful information that you are giving to the public. And I'm pleased to see that we are finally going
to give our community a seat at the table, and that we
are, in fact, going to include our incarcerated community
members.

And so I live in southeast Los Angeles, and I think
it's super important as you're making decisions for
communities that are highly impacted with, you know,
environmental justice issues, political issues, and
you're drawing up lines, that you keep the community's
voice at the forefront when you make these decisions.

And so I appreciate your hard work. Thank you.

CHAIR LE MONS: Thank you, Ms. Camacho Rodriguez,
for your comments.

Jesse, do we have other callers in the queue?

PUBLIC COMMENT MODERATOR: We do, Chair. One
moment, please.

Good afternoon, caller. Could you please state and
spell your name for the record, please?

RENEE WESTA-LUSK: Yes. Renee Westa-Lusk.

R-E-N-E-E is the first name. Last name is W-E-S-T-A, and
then there's a hyphen, and then it's Lusk, L-U-S-K.

I want to thank the commissioners that spoke
yesterday about reaching out to the various communities.

And I will do what I can to have my community reach out
to some of the commissioners. And I appreciate that
invitation that you gave yesterday.
And I also just wanted to clarify a little bit about the redistricting 101 document that was presented yesterday. The reason why I brought up about the topic of that you need to clarify the -- what you -- what kind of testimony, what kind of letters you want, what kind of content in the email when you have the redistricting hearings is because there were a few comments that got political in some of the hearings that I -- redistricting hearings I went to in 2010. But I think you're going to have to educate the public specifically what kinds of testimony you're -- that you need from them.

And that's why I mentioned the clarification of the criteria will be really important because you don't want to spend a lot of your time having to throw out some testimony, because I know the last redistricting commission had to throw out some letters and comments because they were just way too political and didn't give them any value and -- valuable information to help them draw the lines or to get an idea of a community of interest, which also helps you draw the lines. So that's what I wanted to just clarify.

I didn't want to make it sound like there were lots of political comments, but there were some. And in the heated atmosphere we find our country in right now, I think you're going to have to emphasize no partisanism
put in any kind of comments for the redistricting
hearings. But thank you for letting me comment.

CHAIR LE MONS: Thank you, Ms. Westa-Lucks (sic) --
Lusk, my apologies.

Jesse, do we have additional callers in the queue?

PUBLIC COMMENT MODERATOR: It is uncertain right
now, Chair.

As a reminder, callers, if you could please press
star nine to raise your hand to indicate you wish to
comment.

One more time, callers, if you could please press
star nine if you wish to make a comment and have not yet
done so.

Chair, I don't see any participants raising their
hand.

CHAIR LE MONS: Okay. Thank you very much for that,
Jesse.

So at this time, we'll move to agenda item number
13, Language Access Recommendations. So I'd like to turn
the floor over to Commissioners Akutagawa and Fernandez.

COMMISSIONER AKUTAGAWA: All right. Great. Thank
you very much, everyone, for giving us this time to
present. I just want to acknowledge that we did submit,
and it was posted to the commission website on Sunday
evening, our yes, rather long document although what we
wanted to do is to summarize. And we captured all of the
input that we got as a result of the panel presentations.

I do want to just say, for the purposes of the
commissioners and also anybody who is listening in and
has been looking at the documents, the real -- the first
two pages are probably the most important parts because
that does include our initial recommendation. Pages 3
through 5 is a summary of the common recommendations that
we heard from all of the presenters. And then the pages
that remain, from pages 6 through 20, just to make it
easier, we summarized or we captured all of the
recommendations provided by all of the panelists so that
it was all in one document. And so that's why it is a
rather daunting number of pages. But the actual real
parts are pages 1 and 2.

And then also I want to acknowledge that we have
separately a spreadsheet that accompanies our two pages
of our -- of our recommendations document, of which our
recommendations are aligned and are based on that
spreadsheet. So I just wanted to put that out there.

So I want to just start by just speaking to what
our -- or Commissioner Fernandes and I, what our
understanding of what the purpose of the Language Access
Subcommittee is. And our understanding is that we were
to recommend the languages to be provided by the
Commission in its outreach materials and during public meetings, and that these recommendations will lead eventually to the contracting of interpretation and translation services. In terms of the outcome, what we identified were that there are multiple language and cultural factors as well as recommendations that could impact the Commission's ability to ensure greater accessibility and broad, inclusive, and equitable participation in the redistricting process.

And I wanted to also note that as a process, what we engaged in is that over four different redistricting commission meetings -- California Citizens Redistricting Commission meetings, I realize that I should be very, very intentional and also very clear about what meetings we're talking about based on yesterday's conversation. We did have four meetings from late October through early December in which we had multiple panels featuring experts from various diverse communities presenting not only their -- some brief community information, but also barriers and their recommendations for greater accessibility, outreach, and engagement. And as I mentioned, the summary of their recommendations follow on page 6 through 20.

We also reviewed and analyzed different documents as well, too. And we did include what those documents are.
And I believe on the documents that -- or what was posted
to the website, if you click on those names, you should
be able to hyperlink to what the actual documents are.
So I just wanted to share that in terms of what our
process was.

I'm going to turn this -- the next page over to
Commissioner Fernandez to go through the recommendation.

COMMISSIONER FERNANDEZ: Okay. Thank you,
Commissioner Akutagawa. And we also wanted to mention
that we did -- based on information that we heard
yesterday as well as -- or discussions from yesterday as
well as information that we received, there's not an
action item for this, we will be coming back in two weeks
because we're going to revisit some of the areas. So
right now, we're just kind of giving you what we have so
far. And so it may look differently, we're not sure to
what extent, in two weeks when we come back with action
items.

So hopefully the commissioners were able to download
the spreadsheet that basically it show -- how I came up
with this is I use the information from the Secretary of
State their elections information. And what it does is
it shows by county what languages must be translated
versus what ballots, per se, need to be translated in
terms of being available for those people that come in to
vote and request a ballot in a specific language. And that would be what we would call the language -- the precinct level. So if it's over three -- if there's -- if there's a population in that county that is over 3 percent that is non-English, they're required to provide a ballot at the precinct in that language.

And so we use this information to -- this, plus in combination with the panel members, we use the information to come forward with our recommendations. And so based on that information, and as you look -- as we started to look at the spreadsheet and we divided it into our zones, so of course, the zones that are shown now are not -- do not match the zones that we approved yesterday in terms of the (audio interference). So we'll definitely update that for our next meeting. So based on that information that we came up with, and if you look at the zones, you can definitely see that there's language translation needs in specific areas, not necessarily statewide.

So our first recommendation was to contract for statewide translation interpreter services for Chinese Mandarin and Chinese Cantonese, Spanish, Tagalog, and Vietnamese because that was pretty much throughout -- I don't want to say every single county, but Spanish, almost every single county. If you look at the
spreadsheet, it does have a large population of Spanish speakers.

And so then we went from that, then we went to the next level in terms of, okay, that statewide is what our recommendation is. But then there are also area-specific translation and interpreter needs. And for that, we did say, okay, for those areas, for American Indian, Arabic, Armenian, Cambodian, Hmong, Japanese, Korean, Punjabi, Persian, Syriac, and Thai, those would be specific to the areas that is shown on this chart where there is a large concentration of that language.

And then our third recommendation was to work with local communities to provide area-specific translation services for the remaining languages as needed. And this is kind of where our recommendations will probably change for the next meeting, because we did speak with staff and we kind of have -- we have to revisit this because we need to determine what the costs would be, like, for each additional language that we, you know, approve to translate, what does that mean? Right?

And then also, that's just one piece of it. The second piece of it is, as we go out and we do our outreach and our input meetings, we at some point will have to decide, you know, you need to let us know we can advance what type of interpreter services may be required
so that we can make sure that we contract with that
because we can't be expected to be available to provide
interpreter services for every language throughout the
state.

So three and four, we do have recommendations there,
but those are the ones that will probably be more fluid
in terms of when our recommend -- in terms of our final
recommendation next time. And of course, we all -- we
want to work with our partners and our community-based
organizations, as we heard, especially with the -- with
the tribal organizations. They highly recommended that
we go through them in terms of any sort of message or
outreach that we want to do for various reasons. And of
course, we want to make sure that we are very respectful
of cultural needs and languages.

And so also what we want to come away with is there
is so much information. I mean, we could -- Commissioner
Akutagawa and I we're talking, we could probably study
this for six months and we still -- I'm not sure how far
we would get, but at some -- but we have to draw the
line. I said, well, actually, we're going to draw the
line. But we had to draw the line on language access in
terms of, okay, we've got a cutoff point.

And so as we are all reaching back out to our
regions, it would be extremely helpful if you would ask
them, one, what their translation and interpreter needs are, and also the number of population that requires that translation and interpreter services. Because when you look at the precinct information, obviously it's not going to account for every single resident in California because many are not registered to vote or can't vote. So that would just be more information that would be helpful for us as we move forward in our California redistricting activities.

Commissioner Akutagawa, was there anything else that we wanted to add before we open it up for discussion?

COMMISSIONER AKUTAGAWA: Yeah, I'll just add a few more things. I mean, one, we want to be mindful in terms of the various (audio interference). You know, I know that there's default languages, for example, that we recommended for the COI tool that was used by the Secretary of State as well as the -- particularly by the California Census Office. So Commissioner Fernandez and I have kept that in mind. I think, as she said, there's kind of some distinctions that I guess -- there's some distinctions to be made, but at the same time, this is where some of the fluidity, I think, is going to need to perhaps be taken into account.

So one, when you look at these kind of -- these first two recommendations, part of it is also going to,
as she said, depend on what are going to be the needs during the public hearings. And then part of it is also around what will we be able to provide in written material form. And then this is where there's going to need to be some of the partnership conversations that I think we're going to have to have with the different community-based organizations because throughout the presentations, what we did hear is that many of them are willing to help, be partners, to ensure that languages that we may not be directly translating materials or to provide other kinds of translation services during public hearings, they are willing to step up. And obviously, this then connects back to some of the conversations that are also going on around the grants and the outreach grants that would be eventually provided to different community-based organizations.

I think there's still some, I would say, some ambiguity around that. That that still means that not everything is going to be set in stone. And I think that's also partly what Commissioner Fernandez was talking about, that there's going to be, I think, some updates to what we're doing. But for the purposes of at least giving something for all of the commissioners and also everybody and anybody who's interested in this topic and is listening in, we figure it's better to start with
something then to just leave everything just kind of open-ended right now. So I wanted to say that.

Also, as I mentioned, we summarize some of the common recommendations and considerations that were brought up by the panelists. And so what you'll see on pages 3 through 5 are the compilations of those. As best as we can, we try to keep -- or we try to -- we try to keep in their own words what was recommended. But where there was, you know, similarities or repetition of the same message, we consolidated it into some of these big buckets that you'll see. You know, for example, around using trusted messengers, working with communities, utilizing ethnic media, suggestions or recommendations around public meetings and hearings, and then translation and interpretation work. And then largely around education. And then -- you know, just some important language and communication considerations that we felt was important to call out and lift up.

These are not necessarily all what we would call language access kinds of considerations or recommendations, but are still important to the outreach and engagement, and we didn't want it to get lost. So we created these pages here for everyone's review as well, too. And again, as best as we could, we tried to keep it in the words that our presenters gave to us, other than
in the areas where, you know, I may have consolidated it into similar things so that we were reading the same thing over and over again.

Last thing I want to say, and this is the part about working with local communities, what we did learn and that we did not include in this is that given advance notice, we are not going to be limited to, for example, the top twelve languages that we might have used in the COI tools. There is possibilities that, with advance notice, we may be able to provide language translation or interpretation services for public hearings, with advance notice, that may be a language that may not be, you know, one of the ones that the Secretary of State requires or that the Census Bureau also used.

So there is a possibility that there may be definitely ranges, but we also -- I also want to say we heard and we do acknowledge that some people would feel more comfortable coming with their own family members or other trusted resources to come and perhaps bring for interpretation services. I think what -- maybe the one distinction that I'll say is that in terms of having -- without advance notice on-demand translators, that I think is up for discussion.

Most likely, I think -- Commissioner Fernandez, I think we spoke about maybe having Spanish as probably the
only one that we may want to make sure that we have at all meetings translation services available. But for all other languages, including even the ones that we're seeing statewide, we may -- we would probably just ask if people could notify us that there will be needs for certain kinds of translations.

The statewide languages is really applied. I believe our intent was really more around materials and even then, after the presentation yesterday, I think we're having conversations about what specific materials would be translated so that it has the most impact. And then, what materials would we translate into the additional languages as we go out into communities, and that it's identify that there's a specific need.

So that's what we're talking about in terms of there's some fluidity that we want to just acknowledge is going to be happening. And that may not make people happy, but we're trying to be responsive, too, so.

CHAIR LE MONS: Thank you, Commissioners Akutagawa and Fernandez. Before we get into the feedback and discussion, could you lift up what some of the key takeaways you're expecting from this discussion to further the work that you need to do next? I understand that the discussion today is going to inform some more official recommendations that you'll be bringing in a
couple of weeks. So if you could just give us a little bit of a frame as what will be of greatest use to you in terms of -- from your own perspective, in what you need. And that doesn't mean that there can't be other feedback, of course. But I do want to make sure that the discussion is focused on really helping you be able to move your work forward.

COMMISSIONER AKUTAGAWA: Maybe I'll start first. I think what would be helpful -- so one thing we're doing is we're -- we should -- we're investigating more of the different costs for the translations of all of the materials and what choices we'll have to make. So for example, with the presentation yesterday around the redistricting basics and the video, we're looking into what would be the costs to translate into multiple languages, up to -- not just the five that we recommended for statewide, but also up to the twelve that we are using, for example, on the COI tool. And then what would the additional cost be if we were to go beyond those twelve to go to maybe additional -- I think it was like, you know, maybe up to twenty additional languages. What would the cost be? Those are things that we're weighing.

But what would be helpful, I think, is in addition to the video, we're looking at producing different kinds of materials. What would the commissioners feel is most
important to translate? Because we're going to have to make some choices about what materials we'll have to translate into broader languages. What would be most important? And that would also be important for us to hear from the committees as well, too.

Obviously, you know, we expect that we're going to get lots of feedback on this document. Like I said, I think we just wanted to put something out there for people to react to, but that would be helpful because at some point we're going to have to decide what's important enough to translate and what would be of most use to communities versus trying to translate all documents. That's just going to become really unwieldy for, I think, all of us in multiple ways. So.

Commissioner Fernandez, anything else that you feel would be important?

COMMISSIONER FERNANDEZ: No. I mean, I think you hit it right on target. The goal -- part of our goal will also be is we need to start the process of contracting for translation -- interpreter services. So the longer -- we felt, the longer we put this off, the longer it's going to take to get that contract finalized. So yes, we just need to know -- we need to get to the point where we can actually start that process.

And I would probably defer to Director Claypool in
terms of how long that will take. I do know that Translation Interpreter Services is on the California multiple award Schedule, so it doesn't have to go through the full RFP process, which definitely cuts down the timeline. But as we saw yesterday, starting next month, potentially, and Commissioner Sinay next week, we'll be going out to conduct informational or educational presentations. So we really need to get going on the contract side of it.

CHAIR LE MONS: Thank you. So with that, why don't we open up the discussion to the commissioners with any feedback that you have on the document and any comments or suggestions in service of the goals that the subcommittee has raised as needing to address.

COMMISSIONER AKUTAGAWA: Looks like Commissioner Kennedy. Oh, okay.

CHAIR LE MONS: Commissioner Kennedy.

COMMISSIONER KENNEDY: Thanks. I was waiting to see if others were going to have item -- you know, thank you for this. It is important. You're right. We need to get it moving as soon as possible. I think it would be helpful to more clearly distinguish between translation and interpretation. I know that it's very easy to use them interchangeably, but they're not the same thing and they're different skill sets and different professionals
who do one versus the other. I think it's very important and you've both brought this out, but I think we have to be a little more specific in distinguishing the end uses or purposes of materials.

I'm not really understanding the concept of doing translations for specific areas of the state. I mean, if you translate it, which implies a written document, I don't see the point of not making something that you've paid for to be translated to be available statewide. If you're going to translate it, you know, make it available statewide. And particularly the website, I think the website is one of those things that are really -- because so much, if not all of the materials that we are talking about are going to be on the website, you know, I think that's perhaps one good lens to look at it through.

Now, that doesn't mean as you've indicated, it doesn't mean that absolutely everything on the website would be available in absolutely every one of the languages set out. But if something is translated for one area of the state, you know, to me, it just doesn't make sense not to make the translation, which is a written document, available to people statewide. I'll stop there and we can see where the conversation goes.

Thanks.

CHAIR LE MONS: Thank you, Commissioner Kennedy.
Other commissioners?

COMMISSIONER AKUTAGAWA: I thought I saw Commissioner Sinay --

COMMISSIONER SINAY: Yes.

COMMISSIONER AKUTAGAWA: -- also.

COMMISSIONER FERNANDEZ: Can I respond --

CHAIR LE MONS: Okay.

COMMISSIONER FERNANDEZ: -- to Commissioner Kennedy or --

CHAIR LE MONS: Yeah, I'm --

COMMISSIONER FERNANDEZ: -- do you want --

CHAIR LE MONS: Yeah, I'm going to moderate.

COMMISSIONER FERNANDEZ: Oh, okay.

CHAIR LE MONS: Thank you. I'm going to -- I should have said that. I'm going to moderate the discussion. So you'd like to comment? Go right ahead, Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Commissioner Kennedy, yes, you're absolutely correct. And we were talking about that last night. It's like if we translate it in Armenian, that's going to be available for everyone. So when -- it's really -- this is really more of a interpreter services, I would say, although -- however, we are going to -- it's partly translated, if it is going to be translated, it's going to be available statewide.
Because again, like you mentioned, we've already translated it, right? And it would be on our website in that language still. Yeah.

CHAIR LE MONS: Commissioner Sinay?

COMMISSIONER SINAY: This is related, but not -- one of the things that's come up when we are talking about outreach and engagement that the staff had asked was what languages do commissioners speak? And so as people, you know, ask us for different speakers for different languages, and I don't know if we want to do it really quickly here or do it as a survey, but it might be good to do it here just so the public sees.

CHAIR LE MONS: Would we like to go around and do a round robin as to what languages commissioner speak, or we can have our staff get that information and post it when -- and make it available to the public? Who all's in favor of a round robin? Who's all in favor of our staff doing it and posting it? Okay. We'll do a round robin. I'll call you. You say what languages you speak. Who is recording? Staff's recording? Okay.

We'll start with Commissioner Ahmad.

COMMISSIONER AHMAD: Spoken -- oh, stop. Okay.

CHAIR LE MONS: Oh, excuse me. Ms. Kaplan?

MS. KAPLAN: I guess I would add, in addition to presentation -- and Fredy, maybe you would add to this --
if you would feel comfortable doing a media interview in language? Would that be helpful to know, Fredy, as well?

CHAIR LE MONS: Okay. So the -- so what we're trying to get at is, when we're asking what language you speak, it needs to be the language that you're comfortable doing a presentation in, being interviewed in, et cetera.

MS. KAPLAN: Maybe also for written?

CHAIR LE MONS: So that's not speaking --

MS. KAPLAN: But that's --

CHAIR LE MONS: So we're asking --

MS. KAPLAN: Right.

CHAIR LE MONS: -- the commissioners --

MS. KAPLAN: Okay.

CHAIR LE MONS: -- to translate materials? Are we going there? I didn't think so. No, we're not going to do that. So we're talking about you speaking and presenting in a language other than English. Which languages are those? And you'd be prepared to do interviews as well.

Commissioner Ahmad?

COMMISSIONER AHMAD: Spoken Urdu and Punjabi.

CHAIR LE MONS: Commissioner Toledo?

COMMISSIONER TOLEDO: Spanish.

CHAIR LE MONS: Commissioner Sinay?
COMMISSIONER SINAY: Spanish.

CHAIR LE MONS: Commissioner Andersen?

COMMISSIONER ANDERSEN: English for me.

CHAIR LE MONS: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: English. I can understand but I would not want to conduct business in Japanese.

CHAIR LE MONS: Commissioner Turner?

COMMISSIONER TURNER: English only.

CHAIR LE MONS: Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Spanish.

CHAIR LE MONS: Commissioner Taylor?

VICE CHAIR TAYLOR: English.

CHAIR LE MONS: Commissioner Yee?

COMMISSIONER YEE: English only.

CHAIR LE MONS: Commissioner Fornaciari?

COMMISSIONER FORNACIARI: English.

CHAIR LE MONS: Commissioner Kennedy?

COMMISSIONER KENNEDY: Spanish and Portuguese.

CHAIR LE MONS: Commissioner Vazquez?

COMMISSIONER VAZQUEZ: English.

CHAIR LE MONS: Commissioner Sadhwani?

English for Commissioner Le Mons.

Okay. Ms. Kaplan?

MS. KAPLAN: Sorry, I did just -- for the written, it was more just -- sometimes when you do translation,
it's helpful to have an additional eye just review
documents as well. So that was why I had brought up the
written, as they would be like a reviewer -- a potential
reviewer of a translated document. I know you had
(indiscernible, simultaneous speech) --

CHAIR LE MONS: Commissioner Akutagawa?

COMMISSIONER AKUTAGAWA: I think on Ms. Kaplan's
point, I do know that what we heard from the different
community presenters were that some of the community-
based organizations would be open to reviewing
professionally translated documents to ensure accuracy or
at least appropriate translation. And so I wanted to
just put that out there as well too, that that could be
part of any conversation we might be able to have with
them.

CHAIR LE MONS: And to Ms. Kaplan's point, if there
are commissioners that want to offer that service, feel
free to reach out to Ms. Kaplan and the communications
director and let them know that.

Other comments on the document, recommendations, et
cetera?

I'll throw my comments in. To piggyback a little
bit on Commissioner Kennedy, for me, I guess I need
things organized a little bit differently and maybe in
the second round of recommendations. So for example,
we'll start with the website since that was brought up. If the -- based on all of the research, feedback, et cetera, the recommendation is that the website will be available in X number of languages, whatever that is, and then identifying what they are, and that takes into consideration the ease -- it might be very -- it might be pretty simple to translate the website. I have no idea. So I'm not making any decision, you know, any thoughts about that, but understanding that.

And then what is going to be the languages that we're embracing as a commission, as the foundational languages, which is similar to the Secretary of State says this or. But what is the commission saying is going to be their base number of languages? And based on that, that would extend to the majority of the information that we're putting out, in my mind.

And then there is creating mechanisms for some of the languages that fall into that hard to reach category that we've elevated as a priority, and making sure that we're able to meet those needs vis-a-vis our partnerships with community-based organizations, our contracting with interpreters and or translators, whatever those mechanisms are going to be, so that we're discussing the mechanism, the reach, and how it feeds into our broader goal of language access as we just described it, as a
priority. So then that gives me a very organized way to be able to support, you know, thumbs up, thumbs down, particular things. If they could be organized in those various -- it doesn't need the categories that I just presented, but whatever categories we need to be making decisions about where we're going to be.

So that would be my feedback. I think the document that was put forward was very thoughtful and a lot of wonderful work went in, it gives us a lot of background to support our positioning. And it gives us a recap of what we've heard, the consideration sets, et cetera. So I think it would be important that we all make sure we read it so that it informs our decision making when it comes time in a couple of weeks to begin voting on the recommendations that are brought forward. So that would be my feedback globally on this particular topic.

Other commissioners? Commissioner Sinay?

COMMISSIONER SINAY: Yeah. If I knew you guys were doing such a great summaries, I wouldn't have taken so many notes during all the presentation. Great job. I definitely am printing it out and putting it in my binder. I wanted -- in San Diego, I -- you know, when we spoke with -- Bona (ph.) spoke with us, they had said that the language that's spoken the most by the black refugees or African refugees in San Diego was Amharic,
not necessarily Arabic. And so I just wanted, you know, my understanding is that that's one of the most spoken languages in all of California by African refugees. So I just wanted to just touch base on that comment.

CHAIR LE MONS: Commissioner Akutagawa? Yes. So I'm -- just for the facilitation process, Commissioner Akutagawa and Fernandez, feel free to jump in and respond to questions. I won't call on you guys to do that. I just want to facilitate the commissioners queuing up to comment.

COMMISSIONER AKUTAGAWA: Thank you. And thank you, Commissioner Sinay. Yes, you're right. Amharic is one of the more frequently spoken languages that was noted by PANA, along with, I believe, Somali was another language that was not too far behind Amharic. I think those are some of the areas where it gets a little tricky for us because we acknowledge and want to ensure, along the lines of what Commissioner Le Mons said about some of the harder to reach communities, you know, how do we ensure that there's going to be translation on, you know, for those communities? And I think since that's not necessarily one of the, I'll say, I guess, frequently cited or required languages by the state, it's not that those are not ones that we wouldn't include, but what we did hear is that those might be some of the languages
that we would work with some of the community-based organizations to provide those language translations.

And then, of course, if that's going to be done, then, you know, what we would want is just in case, I mean, as Commissioner Kennedy has said, that from a written materials -- any written materials that would be translated by, you know, community-based organizations and partners, you know, we would want to make that obviously available statewide as well, too.

So we realized after we had submitted the recommendations that there were some additional clarifications that we needed to give in terms of our thought process when we put it together. We were just -- so there's that. And I think that's where some of the trickiness comes into play. Like, so for example, you know, even though we could say we want to as a commission say we're going to embrace these languages and we're going to provide professional translation in some of these languages, I think there's some questions that we need to clarify, particularly with some of the community partners we've heard from. Some communities, the preference would be to have translations done by some of the trusted messengers because there are some reading between the lines -- and this is my assumption, is that they wouldn't trust our translations. They would rather
see the translations come from trusted sources and then shared with us versus the other way around.

And so I think these are some of the additional clarifications that we need to make, and we realize that these are some of the questions that still remain open and that may continue to remain open even as we move forward. And this is where some of the intersects with the grants comes into play. And that this, I think, to Commissioner Kennedy's point also, too, about making materials available statewide, I think there's also a timing issue so that, for example, I'll use Armenian. Armenian is very prevalent in a particular area of Southern California, but not as prevalent throughout the rest of the state. That doesn't mean that we wouldn't consider creating those materials in Armenian, but from a timing perspective, you know, there's a lot of work to be done and that may come a little bit later, immediately before, we may do a presentation to that community in Southern California. But then after it's done, then it will become available statewide. So there's some timing issues that also come into play. Where do we need to prioritize? You know, what languages do we have to make sure we do first because it's statewide versus as we go through each region, we'll make sure that translated materials are going to be available.
Commissioner Kennedy, I also want to say thank you for your point about interpretation and translation. Commissioner Fernandez and I did speak very explicitly about that, but after your comment, I realize we should have made that distinction on our document as well, too.

CHAIR LE MONS: I'm noticing that we do have the public queuing up. And this is one of those topics that we will lean heavily on the public, and based on a lot of the things you just said, Commissioner Akutagawa. So I'd like, if there's no objection from Commissioners, to just bring the public into the conversation. And then we'll, of course, continue. Is everyone okay with that?

So Jesse, could you read the instructions? And let's bring the public into this conversation.

PUBLIC COMMENT MODERATOR: In order to maximize transparency and public participation in our process, the Commissioners will be taking public comment by phone. To dial in, call the telephone number provided on the livestream feed. The telephone number is 877-853-5247. When prompted, enter the meeting ID number provided on the livestream feed; it is 91837803898 for this week's meeting. When prompted to enter a participant ID, simply press pound.

Once you have dialed in, you'll be placed in a queue from which a moderator will begin unmuting callers to
submit their comments. You'll also hear an automated message to press star 9. Please do this to raise your hand, indicating you wish to comment. When it is your turn to speak, the moderator will unmute you and you'll hear an automated message that says the host would like you to talk and to press star 6 to speak. Please make sure to mute your computer or livestream audio to prevent any feedback or distortion during your call.

Once you're waiting in the queue, be alert for when it is your turn to speak. And again, please turn down the livestream volume. These instructions are also located on the website.

The Commission is taking public comment on the language access recommendations at this time.

Good afternoon, caller. Could you please state and spell your name for the record, please?


CHAIR LE MONS: The floor is yours. Go ahead, caller.

MR. BANH: Okay, great. Thank you so much. I just want to provide a quick reminder to not forget about American Sign Language. So I know that it's streamed in
American Sign Language, and I hear -- I can see the --
the signers do so. So ASL, as -- as -- as folks may
know, is its own distinct language with its own
grammatical pattern, its own structure, all that. And
there's, you know, across the United States, so there's,
you know, there are data from 500,000 to like a third
most-used language. So please do not forget the non-oral
languages including ASL.

And I know Ms. Kaplan in her work with the census,
ASLs come up oftentimes with the U.S. Census also being,
you know, being more considerate of it, and in generally
just more thought around that. So I would encourage the
same for this body. And thank you for your
consideration.

CHAIR LE MONS: Thank you. Thank you for your
comment.

Jesse, could you invite the next caller?

PUBLIC COMMENT MODERATOR: Good afternoon, caller.

Could you please state and spell your name for the
record, please?

MR. FUNG: My name is Henry Fung. Capital
H-E-N-R-Y. And then last name is capital F, U-N-G.

PUBLIC COMMENT MODERATOR: Thank you. The floor is
yours.

MR. FUNG: Okay. And my comment is regarding the --
the language access plan. You know, I'm a Chinese American, and you know, my -- my folks are born in -- were born overseas. So they're U.S. citizens, as am I. And one of the issues looking at the discussion on Chinese is that while, you know, the -- the spoken language is addressed in the fact that Mandarin and Cantonese being given -- given equal -- equal weight and also Taiwanese in the -- in the Southern California Los Angeles County area, there is no difference or there's no distinction made between traditional and simplified Chinese.

And we know that while people that were immigrated, you know, the long-time Chinese community here, pre-1965, generally is traditional Chinese as well as people from Taiwan, overseas Chinese communities like Malaysia, Vietnam, et cetera. You also have quite very many people from China that have immigrated here, you know, since the Communists -- the Communists in China had simplified the language. And also, Singapore, also, uses simplified Chinese as well.

So you have two distinct written types of language that, you know, while someone who reads traditional, like I read traditional, you know, you can kind of pick out simplified Chinese. It -- it can be challenging. And vice versa for people who may have grown up in China,
have immigrated to the United States, become citizens, and trying to read traditional Chinese, it may be challenging for them as well.

So it's important that when you have the different script, the different written languages for a Chinese language, that both are present, because we really can't just say that it's all traditional Chinese like we used to. But you also are starting to see some jurisdictions, like LAUSD, for example, only print out things in simplified Chinese, which makes it difficult for people like my parents to understand. So -- so definitely do both scripts, both traditional and simplified, at least for Mandarin.

In the Cantonese script, there is a separate Cantonese script, but generally speaking, you know, Cantonese readers are from Hong Kong, so they would do traditional Chinese. And I'm just a little surprised that that kind of blind spot between the different types of writing systems and scripts was not included in the report. Thank you.

CHAIR LE MONS: Thank you, caller.

Jesse, could you invite the next caller into the conversation?

PUBLIC COMMENT MODERATOR: Yes, one moment, Chair. Callers, if you could please press star nine to raise
your hand to indicate that you wish to comment.

Good afternoon, caller. Could you please state and
spell your name for the record, please?

MS. ERIKAT: Good afternoon. My name is Jeanine

PUBLIC COMMENT MODERATOR: Thank you. The floor is
yours.

MS. ERIKAT: Thank you so much for your time. Good
afternoon, everyone. My name is Jeanine Erikat. I was
present with you a couple of months back with my coworker
and colleague, Rahmo on behalf of PANA.

First, I wanted to say thank you all so much for the
work that you've been put into this outreach plan. I can
tell it's very thoughtful, intentional, and you've taken
into our recommendations into account, as well as the
other panelists who presented. Something I did want to
comment on is that although we did stress -- we did
stress the importance of community partners and we asked
that trusted messengers are used in the process, you
know, that these community partnerships on translations
should be funded and should not come out of outreach
grants -- grants. Too often the financial burden of
translation is passed on to these communities and it just
exasperates the inequity. And then instead of doing
direct outreach with community, we have to dedicate our
time and budget to translation.

So again, we'd love to collaborate with you all on these efforts and work as trusted messengers in our communities, but it would make a really big difference, especially for our African communities, which we don't see any African languages represented despite a large Amharic speaking community in the Bay Area, Los Angeles, and a huge Somali community in San Diego of over 20,000 people. So again, I just wanted to reiterate that we'd love to work with you on this, but we would really appreciate the support of the commission to translate these materials within these languages. Thank you.

CHAIR LE MONS: Thank you.

Jesse, could you invite our next caller into the conversation?

PUBLIC COMMENT MODERATOR: I don't believe there are currently any callers in the queue, Chair.

As a reminder --

CHAIR LE MONS: Okay.

PUBLIC COMMENT MODERATOR: -- callers, please press star nine to raise your hand to indicate that you wish to comment.

CHAIR LE MONS: There we go, we have a hand. 6158?

MS. MARKS: Yes. Hi --

PUBLIC COMMENT MODERATOR: Good afternoon.
MS. MARKS: Hi, my name is -- oh.

PUBLIC COMMENT MODERATOR: Go ahead --

MS. MARKS: Go ahead.

PUBLIC COMMENT MODERATOR: -- sorry.

MS. MARKS: My name is Julia Marks. I'm calling from Asian-Americans Advancing Justice, Asian Law Caucus. That's Julia, J-U-L-I-A, Marks. M-A-R-K-S. I just wanted to thank everyone for the work that went into this document and for the really thoughtful discussion today. We appreciate that this is an evolving document and look forward to providing additional feedback and working with you all as you continue to update and refine it.

My understanding from the discussion so far is that commissioners will be taking a closer look at their respective regions and consulting with stakeholders about language needs in the coming weeks. I just wanted to say I really appreciate that approach. This is a great starting point, but consultation with partners in each region will be helpful. And also that in the course of looking at the regional needs, I'd recommend that you look at data on how many people in each region are limited English proficient and speak a given language in addition to looking at some of these elections-related analysis and county-based analysis.

There are languages spoken by large numbers of
Californians that might not look as significant when focused on the Secretary of State's data and analysis. That's because the Secretary of State's data is based on counties and precincts, but there are quite a few communities who might be sizable in a given region but aren't densely clustered in specific precincts. An example of this would be the large number of Korean-speaking people in the Bay Area. So in the chart provided for your plan, the only Bay Area county with mandatory Korean coverage is in Santa Clara County, but the region as a whole has more than 25,000 limited English-proficient Korean speakers.

Similarly, Arabic is spoken by more than 65,000 limited English-proficient Californians, but in the current proposal, it's only mandatory for one county in the state. So I would recommend looking at additional data beyond this. And we're happy to be a resource in providing that data or helping you locate it if it could inform your process.

I also wanted to note that I really appreciate that the current draft includes opportunity to add languages for interpretation at regional hearings at a later time upon request from community members and community organizations. I do recognize that for administrative reasons, you may want more certainty early on, but I
would urge you to find a way to keep some of that flexibility available. For example, perhaps you could set aside some additional budget to pay for interpretation at regional hearings for languages that have not been identified yet but will be requested in the future.

Again, I just want to say that we are happy to be a resource to you all as you continue to explore these issues and we really appreciate your time.

CHAIR LE MONS: Thank you so much. Jesse, do we have additional -- I see there's about four people in the queue.

They may not all want to comment, but let's check and see.

PUBLIC COMMENT MODERATOR: Callers, if you could please press star 9 to raise your hand to indicate that you wish to speak, now would be the time.

CHAIR LE MONS: Okay. Seeing no additional callers. Is that correct, Jessie?

PUBLIC COMMENT MODERATOR: Yes, Chair.

CHAIR LE MONS: Okay. We'll close public comment for right now and go back to the discussion. Commissioners, I actually would like to make a recommendation, which kind of segues from Ms. Mark's point. We as commissioners have been out in the various
zones meeting with different partners, most of which vis-a-vie the census. And what I'd like to do -- or would like to recommend is that if we haven't already began to put together a database of those particular partners -- I know everyone that we talk to and what was formerly zone 1, now zone B, were very receptive and just very generous in their desire to support. And I think some of this research in terms of language needs in those zones could be acquired through those partnerships and relationships as opposed to us.

We know a lot of effort. I know at least for our zone, there was a lot of administrative footwork in getting those calls established, et cetera. And I know also in working with Commissioner Kennedy similarly. So it was very labor intensive to get folks on the phone, get them scheduled, these need to be rescheduled, et cetera.

So the reason I'm recommending that we put together the database of those who have said yes, we want to help you, and those that we met with that said yes was prepared to help us in any number of ways. They basically just ask, but I don't think we put a formal process in play to communicate with them. So if we could begin to establish that database, we could push out an invitation to them. We could also ask them to push that
invitation to their networks, which is one of -- I know with the zones that we worked in was one of the big things they offered up was not only sending us lists, but they would blast things out for us. And in many cases, they are trusted messengers.

So I think we can begin to leverage those individuals. And I think any individual that then responds from that outreach and says yes, I'm here to help you, we now can add them to our database as someone who fully would work with us. So I just would like to recommend that that mechanism become operational so that we can utilize it. So while we're still working individually with the zone captains or whatever we're called, zone leads, we have a mechanism at our staff level that can pull certain triggers for us to have the flow of communication happen broadly and quickly. Yeah.

Other commissioners?

Commissioner Yee.

COMMISSIONER YEE: Yeah. I'm just really enjoying this discussion. For this investment that we're making in this part of our work, I'm thinking whatever else we do, you know, a lot of times it counts for a lot to have anything at all appear in one's language. Not necessarily everything, or even a lot of things, but anything.
So like, when I get mail from my health insurance plan, right, there's an insert that has, like, three sentences in, like, thirty different languages, right. If you need help the translation, whatever, call this number, whatever it says. And something whatever -- whatever else we do, you know. Maybe have, like, a one-paragraph description of our work or something translated in twenty-plus languages appear on the website somewhere, you know, when we do other kinds of outreach to have. If you have a montage of somebody saying make your community count or something, you know. Say it in lots and lots of different languages.

That -- apart from what we do in hearings, and what we do in COI tool, and what we do in whatever else, and it counts for a lot. You know, even hearing anything at all, and you're like -- especially if you're a small minority group counts for a lot. So I would encourage those kinds of efforts alongside our bigger efforts to provide services.

CHAIR LE MONS: Thank you for that, Commissioner Yee.

Other commissioners?

Commissioner Akutagawa.

COMMISSIONER AKUTAGAWA: All right. First off, I just want to say thank you to everybody who called in.
And I think there -- I just want to acknowledge that I think there were some -- perhaps some -- maybe, I think we just need to be much more explicit even of the things that we're taking for granted. And I think maybe that's how I would best word it.

For example, with ASL, I think I just already assumed that we were going to include it because we're already doing it as part of our regular practice of the commission meeting. So I didn't -- I think I made an assumption that it wasn't as necessary to call it out because I already knew in my mind that we were already going to do it. So I do appreciate (indiscernible) calling in to remind us that -- that just told me that we -- even, like, on --

And I know, Commissioner Yee, you had already pointed this out about simplify Chinese versus traditional Chinese. I think that was an assumption that I also made to that we were going to already cover that, but I think what it spoke to -- what I heard from the speakers is that we can't make those kind of assumptions, and that even on certain things, we have to be very explicit about different kinds of things.

I think -- I also want to additionally say I would be interested in hearing, and maybe this is again, you know, at some point reopening to public comment, what
are -- I think there's --

I agree, Commissioner Yee, with what you said about having the different languages and people being able to see in the various languages would be important. I think the question becomes what are the most important pieces of information, documents, materials, whatever it is, that would help to be able to communicate that, because at -- we do have to make some traces because we can't do everything, but what would be in -- in this case, I would say in the commission's mind, but also amongst our community members, what are some of those things that would be important to ensure that we provide translated materials. For example, on the website.

And by the way, I just want to note that at least in the initial cost that we looked at, there's a charge per word. So we may want to think about being less wordy. And I know I'm guilty of that too, but one of the things that Commissioner Fernandez and I talked about is the FAQs would be a really important piece that we should translate into multiple languages because that really speaks to the kind of things that people may want to know and have questions about.

And the more languages that we could translate that into could be an important -- that's an example of something that would be important to ensure that there's
multiple translations, but are there other things that perhaps, from the commission and from the public, that we should be taking into account that we might not be thinking about, or we might, but we just need affirmation of it.

CHAIR LE MONS: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: And just for clarification, FAQ is frequently asked questions. Commissioner Akutagawa and I went through that yesterday with acronyms left and right.

And we also -- Commissioner Yee, you bring up a good point. We discussed this last night, and we were thinking -- because they do charge per word, we were thinking, like, a postcard. Something that's very simple. We can just hand it out. And we're thinking limited based on the number of words, right? So we have been thinking about how can we get this out there in as many languages as we can, but, of course, there is a cost associated with all this.

And then I just wanted to remind everyone as you're reaching out to not -- please don't forget to ask them about language access and the population of non-English speakers and their communities, and counties, and what languages are spoken, so. Thank you.

CHAIR LE MONS: Commissioner Fernandez, could you
send through Director Ceja the bullets to us that you just kind of (indiscernible) right there that you want to make sure that are being asked so that everyone is making sure to capture the same information?

I have a clarity question, and then I'll come right to you, Commissioner Sinay.

The clarity question, I don't recall when we did budget. Do we have a delineated language access budget or language translation and interpretation budget?

Director Claypool?

DIRECTOR CLAYPOOL: So that amount can fall into the outreach budget that we've just made a request for release, and it could also fall into the operational budget once we get further along into your public hearings if for any reason the outreach budget had been exhausted and we needed additional funds, because it is a function of both.

CHAIR LE MONS: Okay. Thank you.

And then one other point I wanted to make before going to Commissioner Sinay is -- and this is for Director Ceja, and it's in the spirit, I think, of our desire to work with CBOs. I know in the website that was presented yesterday, as with all websites, there's a contact us opportunity, a how you can get involved opportunity.
I'd like to recommend that we draft a proactive appeal and actually position an appeal so that it's not -- it's less passive and actually more aggressive in saying we really want you involved, and this is how we want you involved. So if you could -- if the team could create something like that to bring forward to us in our next meeting for consideration, that would be awesome, because I think that -- the feeling I have from the spirit of the commissioners is part of our goal is to work with the local communities as much as possible, et cetera.

And I think sometimes, communities are just waiting for us to reach out to them. And in some cases, we won't know who they are to even reach out to them, but I think if we keep pushing the old appeal, we want you kind of approach, and then asking all of our panelists and anyone that engages with us beyond just the topic that they come to talk about, if they could extend our appeal to our networks to let them know we're here, and we really want to work with you, and then we're going to have different ways for you to plug in, but show us who you are that want to be a part of this wonderful process of redrawing the lines.

Commissioner Sinay.

COMMISSIONER SINAY: Thank you. Two points. One,
building on what you've asked regarding the budget, we did have -- when we talked about the kind of -- the first time we talked about the strategy map, we did have a proposed budget for the outreach. The outreach budget we had proposed line items and there were ranges, but at the time, we said we needed to hear from staff exact to finalize those ranges. And so I do want to put that out there.

And in the idea in that budget we had, we did include collateral as part of it -- a high budget for collateral -- what we felt was a high budget for collateral that included if we needed that for translation, but again, we need staff to do the itemize, but I think it is important for staff because I think most staff wasn't onboard at that point on that regime is that we do have ranges and that are part of that document that was sent to them yesterday.

Second of all, this just occurred to me, but the languages that we're looking at is we get that from the Office of Voter Registration with the electric. And so that means that they're looking at predominantly folks, I'm guessing, who are registered to vote and in those languages, or do we -- let me back track.

How do they get the languages? How is that -- and the reason I'm asking is in many communities, what we're
finding -- in many counties, what we're finding is that there's very new communities as of the last ten years and stuff, and they won't be U.S. citizens. They won't be registered to vote. And so are they falling through the cracks or not? So if you could explain how they come up with these languages.

CHAIR LE MONS: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: I'm not sure. I have to research how they come up with the languages, but when I did present it -- and that's why I felt it was important that when we reach out to the communities -- because it is dated. Obviously, it's going to be dated information. So that's why it's important when we move -- when we reach out to our zones that we ask them, because obviously, like you mentioned, there's shifts, shifts of population. So we want to know what the population is right now versus what it was a few years ago when this was done.

So I'm not sure how they came up with this information, but again, you're not going to include everyone because not everyone registers to vote or can vote. And I'll get the email out that Chair Le Mons requested on that.

CHAIR LE MONS: Thank you, Commissioner Fernandez.

Commissioner Kennedy.
COMMISSIONER KENNEDY: Thank you, Chair. I've pulled up the memorandum that went out the 21st of May from the Secretary of State to county clerks and registrars. And the first paragraph of that, I think, provides the answer to the question.

So the first paragraph reads, "Under California Elections Code Section 14.201, the Secretary of State by January 1 of each year in which the governor is selected must determine the precincts where three percent or more of the voting-age resident" -- so it doesn't talk about registered. It's just voting-age resident -- "are members of a single-language minority and lacks sufficient skills in English to vote without assistance."

So as far as the -- as far as the precinct-level numbers that the subcommittee was talking about, this is the memo from the Secretary of State that generated that information.

CHAIR LE MONS: Thank you for that, Commissioner Kennedy.

COMMISSIONER AKUTAGAWA: I just want to note that Cecilia just put something in there too. And the other thing I wanted to also note is that in terms of the language, there were a couple slight tweaks that were -- I guess I'll just say for the COI, the twelve languages
that were recommended were based on census data, not on the election. So that was supposed to be a more inclusive. And the census -- or the California census, the languages that they chose to use were based on inputs from community-based organizations. That's what my understanding is.

And then also, I do know that there were a couple languages that were -- at least one language that was dropped from what the census proposed versus what the Secretary of State proposed. I know that Thai was dropped from the census designated languages, and I think there was another language that was put in place. So then I just don't remember off the top of my head right now.

CHAIR LE MONS: Thank you, Commissioner Akutagawa.

Are there any other comments or feedback that you'd like to provide the subcommittee on the language access so that they can continue forward with their work and be prepared to come back in a couple weeks to present some recommendations?

Director Claypool.

DIRECTOR CLAYPOOL: I was wondering if it wouldn't be helpful perhaps in the interim period between now and that next meeting whether the subcommittee would want to possibly just do a poll of the commissioners regarding
the languages that they believe would be most important
to them, because it's going to be -- in order for staff
to give estimations of what things are going to cost, we
need to have some parameters as to how far we're going to
have to reach in order to produce the different materials
that the commission is considering, but that's just a
thought.

CHAIR LE MONS: I have a question, Director
Claypool. To your point, is it -- is there a large price
variations between languages, or could you do it on a
volume basis? Meaning if we're doing five languages
versus ten languages versus twenty, or do you need to
know the very specific languages in order for the costing
portion?

DIRECTOR CLAYPOOL: I -- and that's one of the
things that I would have to work with Director Ceja and
Director Hernandez on to get an idea of how these
different companies are pricing their services, but what
we do know is is that the cost is going to really be
determined by the volume that you wish to have
interpreted as Commissioner Akutagawa said. If their
pricing by the word, then we need to be less robust, but
having said that, if we get that parameter, I'm still
believing that it will be less than we think in order to
get kind of the pdf version so that we can send it out to
individuals, and then they could possibly use it in their communities, but first, we have to kind of lock in on something that we can measure, and something that we can cost out.

CHAIR LE MONS: Okay. Can you explore that question of the numbers versus languages? Because I don't think that the robustness won't -- see, that's a separate point. So even if we tell you the languages we prefer, we still haven't addressed how robust we are or aren't. So I think what you're trying to do, at least at this point, is be able to get some cost information, some cost data.

So if you can just ask that question whether or not -- where the differentials are. And then that way you can give that information to the subcommittee, and then they can then proceed with getting whatever additional information that they need to get in the interim in service of that, because what I would hate to do is us try to define the languages today in service of your cost issue is A) is not necessary. And commissioner -- the subcommittees are really looking to bring a lot of variables together.

So I think in order for us to have a really pointed discussion about this and come up with those kind of definitive decisions, which we agree we were not going to
do today also. So I don't think we should pick those
languages today because we said we weren't taking action.
We were going to give feedback. So we would be prepared
to take that action in the next meeting as agreed.

Commissioner Akutagawa, Fernandez, then Kennedy.

COMMISSIONER AKUTAGAWA: So thank you, Commissioner
Le Mons. Commissioner Fernandez and I also did ask
similar questions of the staff as well, too. I do know
that they've started some of their research on it. And
my understanding in having that conversation is that
depending on the kind of languages, there are different
cost factors. The one question I do have, and I don't
know if this is something that Director Claypool or even
Director Hernandez might be able to answer, or if this
even a legal question, which is I know in some cases,
there are certain languages that I suspect that if we
chose to be as inclusive as I think we would like to be,
there may be some languages that some of the, I guess
I'll say, professional translation or interpretation
services might have problems meeting those needs. And
would we be better off, and can we go directly to certain
communities to pay directly experts in those communities
where they would be able to provide those translations.
That would be separate and additional as was suggested
for the translation by community members who are rooted
in those communities and have direct knowledge of some of
the languages that might not be easily provided by the
services.

Is there anything that stops us from going to them
especially?

CHAIR LE MONS: Director Claypool.

DIRECTOR CLAYPOOL: It'll be a function of cost. It
has to -- not necessarily does it stop us from going to
them, but how quickly we can go to them if the cost is
clearly less than $10,000, we may be able to use a fair
and competitive contract, the personal services. If we
go over that, then we would have to go through the C-MAS
and so forth to see if there were others who can provide
the same service.

So again, it will just -- it'll be a case-by-case
basis, Commissioner.

CHAIR LE MONS: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: I have an email drafted
because I wanted the subcommittee to meet with Director
Claypool and the communications director so we could go
over this information. So I don't -- but it just
depended on if our meeting ends today. I'm going to see
if we can meet tomorrow so we can kind of try to --

CHAIR LE MONS: The meeting will end today,
Commissioner.
COMMISSIONER FERNANDEZ: Okay, good. So the goal of the meeting for tomorrow, that they don't know about is to actually talk different contracting abilities and the cost and all that. So that's like the big piece that we want to try to nail down quickly.

CHAIR LE MONS: Awesome.

COMMISSIONER FERNANDEZ: Don't know if we want to take more time here, but I --

CHAIR LE MONS: Thank you for that, Commissioner Fernandez. We're going to leave that to the subcommittee. So the subcommittee will work with staff on those pieces.

Commissioner Kennedy.

COMMISSIONER KENNEDY: Thank you, Chair. I wanted to go back to something that Ms. Marks said, which I think is a fundamental point that the -- at least most of the datasets that we've been using for this analysis, and this includes the analysis that we were doing in looking at languages for the communities of interest tool. Most of those datasets are based on precinct-level boundaries. And Ms. Marks's point is really important that there are communities in this state that are not as concentrated or not concentrated enough to rise to the level of requiring language support at the precincts. And yet, if we look at them on the whole of the state, they're sizable
communities.

And so I'm wondering -- I don't have a clear sense of whether Public Policy Institute of California or UC Berkeley, or any of the other university campuses around the state who might have the best dataset that we could use that would not be circumscribed at the precinct level. In other words, would give us a more realistic picture of the different language communities in the state. And as she mentioned, particularly those who have limited English proficiency. People can speak Spanish, but if they're a hundred percent proficient in English, or they can speak Thai, but if they're a hundred percent proficient in English, that's a different kettle of worms from trying to meet the very legitimate needs of people who have limited English proficiency.

So just asking if anyone among us or our listeners when they have an opportunity to call in before we finish for the day can point us towards the best datasets.

Thank you, Chair.

CHAIR LE MONS: You're welcome.

Ms. Kaplan.

MS. KAPLAN: The census office did have a dataset on limited English proficiency that was a Puma data level. I'm sorry. I know some of you have been in touch with the (indiscernible) that may be; however, if you want my
help in that, let me know.

CHAIR LE MONS: Okay. You could reach out to
Commissioner Akutagawa and Fernandez on that. I
understand there's a meeting happening tomorrow.

MS. KAPLAN: Sure.

CHAIR LE MONS: Perfect. And I saw Ms. Gomez
enthusiastically nodding in the affirmative. I bet she
has some expertise in this area too. So please feel free
to engage her as well.

We have -- we're up on a break actually. And yeah,
we came back at 1:25. So technically, we're up on a
break at 2:55; is that right?

PUBLIC COMMENT MODERATOR: That's right, Chair.

CHAIR LE MONS: Okay. And I definitely want to
respect that. So we're going to take our fifteen-minute
break. And then we'll come back, and we will go to the
closing public comment for today and entertain any
additional comments. Because there was a direct appeal
made by some commissioners to the public to chime in on a
couple issues, so while we're talking about this I
definitely want to give them the opportunity to do that
as well our closing public comment. They can comment on
anything, so this will be a really good opportunity
before we close out this meeting cycle.

With that, it's 2:55, I expect you back at 3:10, and
we will resume the meeting.

Thank you so much. Enjoy your break.

(Whereupon, a recess was held from 2:55 p.m. until 3:10 p.m.)

CHAIR LE MONS: Welcome back, everyone. I hope you had an enjoyable break. At this time I'm going to move into final public comment of the meeting. Before I do so are there any comments from Commissioners?

Okay. Great.

At this time, Jesse, I'd like to have you read instructions for our final public comment of this meeting. We are taking public comment on any of the topics that have been addressed throughout the agenda yesterday and today. Thank you.

PUBLIC COMMENT MODERATOR: In order to maximize transparency and public participation in our process, the Commissioners will be taking public comment by phone. To call in, dial the telephone number provided on the Livestream feed. The telephone number is 877-853-5247. When prompted enter the meeting ID number provided on the Livestream feed. It is 91837803898 for this week's meeting.

When prompted to enter a participant ID simply press pound. Once you have dialed in you'll be placed in a queue from which a moderator will begin unmuting callers.
to submit their comments. You will also hear an automated message to press star 9. Please do this to raise your hand indicating you wish to comment.

When it is your turn to speak the moderator will unmute you, and you will hear an automated message that says, The host would like you to press star 6 to speak. Please make sure to mute your computer or Livestream audio to prevent any feedback or distortion during your call.

Once you're waiting in the queue be alert for when it is your turn to speak, and again, please turn down the Livestream volume. These instructions are also located on the website. The Commission is taking final public comment on any agenda item at this time. And as a remember -- as a reminder, callers, please press star 9 to raise your hand.

CHAIR LE MONS: Commissioner Kennedy (ph.)?

COMMISSIONER KENNEDY: Chair, while we're waiting I just wanted to give a shout out to our counterparts of the Michigan Redistricting Commission who are also meeting at this very moment.

CHAIR LE MONS: Thank you for that.

(Pause)

PUBLIC COMMENT MODERATOR: Chair, no callers have joined the queue.
CHAIR LE MONS: Let's give it another thirty seconds.

(Pause)

CHAIR LE MONS: Still no one in the queue, Jesse?

PUBLIC COMMENT MODERATOR: That is correct, Chair.

CHAIR LE MONS: Okay. Thank you so much. We'll closing public comment. Commissioners, I just want to thank all of you before we adjourn the meeting. I want to thank the staff and all the Commissioners for their hard work, and during my time as Chair it's been a great honor to serve the Commission as Chair since December 14th, I believe it was.

I want to personally thank Commissioner Taylor who was a consummate Vice Chair. It really made my job very easy. So again, I appreciate the opportunity. It's been a great pleasure, and at this time we will -- 3:14 on January 12th adjourn this series of meetings. This meeting is adjourned.

(Whereupon, the meeting adjourned at 3:14 p.m.)
CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, of the videoconference recording of the proceedings provided by the California Citizens Redistricting Commission.

LORI RAHTES, CDLT-108

June 17, 2022

DATE