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San Francisco Elections Commission Redistricting Initiative Plan v7

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Overview

Every ten years the Director of Elections is required by charter to evaluate the federal, state, and local legal compliance of San Francisco's supervisorial boundaries and advise the Board of Supervisors on relevant population changes no later than 60 days after the decennial federal census results have been published. Should the Director of Elections find that the boundaries do not align with population requirements, a nine-person, independent Redistricting Task Force (henceforth RDTF) is formed. Three sets of three task force members are appointed by the Board of Supervisors, Elections Commission, and Mayor, respectively.

Presently, each San Francisco district is represented by a single supervisor. The purpose of San Francisco's redistricting process is to ensure fair supervisorial representation for all San Francisco voters. The RDTF must adhere to the United States Constitution, the Federal Voting Rights Act (henceforth VRA), and the San Francisco Charter. The RDTF is required to complete updated and compliant supervisorial districts prior to April 15th on the year in which the first lines will go into effect.

This year's redistricting drew significant public attention across many facets of its operations and decision-making processes. Following the completion of its final map, the RDTF proactively submitted a multi-page final report of their process and recommendations for future commissions' consideration. Some RDTF members also released personal statements regarding their experiences with the process and serving on the task force.

Based on feedback from the public and independent advocacy groups, and in line with its mandate to ensure free, fair, and functional election administration, the San Francisco Elections Commission introduced a redistricting initiative to offer a public forum for education, dialogue, and soliciting strategic recommendations to strengthen San Francisco's redistricting process.

Objective(s) & Deliverable(s)

This initiative seeks to survey the San Francisco City & County redistricting process and explore potential alternatives to current procedures where appropriate. The Elections Commission will solicit public and subject matter feedback, explore best practices, and synthesize collective input. Based on discovery and insights, the Elections Commission may produce a memorandum that outlines strategic recommendations for the Board of Supervisors' consideration to be the basis for a potential Charter amendment.

Scope

The Elections Commission's work on redistricting may span at least six months in time though may extend longer as necessary. The initiative will be a joint undertaking by all members of the Elections Commission. Members of the public, advocacy groups, subject matter experts and others are encouraged to participate in the process. Special guests may also be invited by

Elections Commissioners to present during relevant Commission meeting agenda items. Special meetings earmarked for redistricting-specific subject matter may be called as needed.

Approach

The Elections Commission will examine the end-to-end San Francisco redistricting process. This may cover broad evaluation of substantive and procedural components from before, during, and after redistricting of single-member supervisorial representation. The work will consider current procedure, explore best practices, and evaluate appropriate alternatives in five interrelated categories, though may expand in scope where relevant and appropriate. The work will be flexible and responsive to public input and external considerations.

1. Composition & Selection
    a. Type (e.g., independent body of citizens)
    b. Structure (e.g., size, alternates)
    c. Candidate recruitment (e.g., timing, channels, candidate pool)
    d. Diversity, equity, inclusion & representation (e.g., racial, ethnic, and other diversity)
    e. Selection criteria, vetting, and appointment processes (e.g., political involvement, conflicts of interest, prior participation, appointing authorities)
    f. Overall timeline (e.g., before or after census data, adjustments for tardiness)
2. Onboarding & Training
    a. Training & Preparation (e.g., legal, technical, redistricting criteria, best practices)
    b. Tactical Planning (e.g., deadlines, timeline, action plan with draft map milestones, roles, responsibilities)
    c. Staffing & Support
        i. Documentation requirements
    d. Sunshine Procedure & Training
3. Redistricting Criteria
    a. Charter requirements (e.g., criteria, considerations, ranking, etc.)
4. Operations & Decision-Making
    a. Public outreach process
    b. Procedural mapping process (e.g., draft maps, interim deadlines, etc.)
    c. Voting process (e.g., simple vs super majority change approvals)
5. Accountability & Transparency
    a. Public input & notice periods
    b. Decision-making requirements (e.g., written rationale for maps, final reports)
    c. Intra-commission communications & ex parte communications
    d. Member replacement / recourse (e.g., misconduct, violation, OR external/personal circumstances)
    e. Task force recourse (e.g., should a map not get approved)

PHASE I–EDUCATION

The Elections Commission's Redistricting initiative covered the topics below in 2022 to learn about best practices in state and local redistricting.

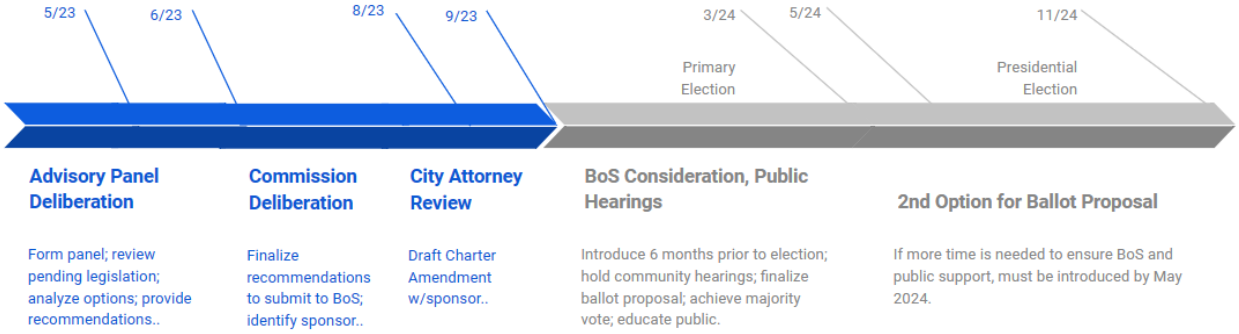
1. June
    a. Forum: Monthly Elections Commission Meeting
    b. Topic: **San Francisco Redistricting Task Force history & high-level overview of alternate redistricting structures**.
    c. Speaker(s)
        i. Steven Hill, FairVote co-founder and advisor to original Elections Task Force of San Francisco in 1996. Bio.
        ii. Julia Marks, Voting Rights Program Manager and Staff Attorney at Asian Americans Advancing Justice – Asian Law caucus. Bio.
2. July
    a. Forum: Monthly Elections Commission Meeting
    b. Topic: **San Francisco supervisorial representation history and insight into independent redistricting archetypes & case studies**.
    c. Invited Speaker(s)
        i. Gwenn Craig, Former chair of the Elections Task Force and 2001 RDTF Chair. Bio. Written remarks.
        ii. Alesandra Lozano, Voting Rights & Redistricting Program Manager, California Common Cause. Bio. Slides. Slide notes. Common Cause Redistricting Database.
3. September
    a. Forum: Monthly Elections Commission Meeting
    b. Topic: **San Francisco's Redistricting in Practice**
    c. Invited Speaker(s) Former San Francisco RDTF members:
        i. 2001: Gwenn Craig, Chair
        ii. 2011: Myong Leigh
        iii. 2021: Raynell Cooper
4. October
    a. Forum: Monthly Elections Commission Meeting
    b. Topic: **Staffing/Support and Community Input**
    c. Invited Speaker(s):
        i. Angela Calvillo, Clerk of the Board. Bio.
        ii. Fernando Martí and Emily Lee, San Francisco Unity Map Coalition. Martí Bio. Lee Bio. Slides.
5. November
    a. Forum: Monthly Elections Commission Meeting
    b. Topic: **Best Practices Exemplars**. Redistricting Comparison.
    c. Invited Speaker(s):
        i. Alejandra Gutiérrez, Long Beach Independent Redistricting Commission. 2021 Long Beach Redistricting Report.
        ii. Rebecca Szetela, Chair & Vice Chair. Michigan ICRC. Lessons Learned from MI ICRC
        iii. Nancy Wang, Executive Director, Voters Not Politicians

A summary of redistricting reform recommendations from the expert speakers who presented from June through November was posted as part of the December 2022 and January 2023

agenda packets. A final public educational session was held during the March 2023 Commission meeting with Nicholas Heidorn, founder of the California Local Redistricting Project (bio), author of January 2023 report The Promise of Fair Maps: California's 2020 Local Redistricting Cycle: Lessons Learned and Future Reforms and the 2017 report California Local Redistricting Commissions: Landscape, Considerations, and Best Practices.

Recommended Timeline for 2023-2024

To achieve our goal of a Charter amendment on redistricting reform for voters to consider in 2024, **we recommend targeting the March 2024 Presidential Primary election**. This is expected to be a high turnout election with potentially fewer ballot measures, so this important reform proposal doesn't get lost. Should we run out of time and/or decide conditions are not favorable, this still gives us the option of putting it on the November 2024 ballot, which is the Presidential Election. That will be a higher turnout election but will likely risk voter fatigue.



Phase II–Refine Recommendations to Board Champions

Based on concerns expressed at the March 2023 SFEC meeting about limited capacity and competing Commission priorities and the formation of the Fair, Independent, and Effective Redistricting for Community Engagement (FIERCE) Committee, we have revised this plan accordingly. The goal of Phase II is to refine a set of reforms and propose these to legislative champion(s) on the Board of Supervisors, as they have greater resources to conduct public input hearings and will likely have amendments of their own. While the expert testimony we heard in Phase I yielded many consensus recommendations, there are still some details to be worked out for San Francisco specifically. In addition, there is pending legislation in the form of AB 1248, a bill that already incorporates many of the key best practices we are considering, as well as AB 764, which is designed to strengthen the FAIR MAPS Act of 2019. Both introduced by Assembly Member Bryan, this new state legislation would apply to all large jurisdictions, including charter cities, which previously were exempt. The City Attorney provided a legal analysis of AB 1248.

To provide the Commission with deeper insights, a blue ribbon good government advisory panel presented at the May 31 FIERCE Committee meeting.

This diverse panel included:

- **Russia Chavis Cardenas**, Voting Rights & Redistricting Program Manager, California Common Cause
- **Lauren Girardin**, LWVSF Redistricting Team, League of Women Voters of San Francisco
- **Sietse Goffard**, Senior Voting Rights Coordinator, Asian Americans Advancing Justice—Asian Law Caucus
- **Chema Hernández Gil**, 2021-22 RDTF Member
- **Jenny Tse**, Advocacy Committee Co-Chair, League of Women Voters of San Francisco

Based on feedback from the first FIERCE Committee meeting, it's apparent that more educational sessions would be helpful for the public while the bills proceed through the State Legislature. We invited all former RDTF members (for whom we had contact info) to our June 26 meeting, as well as a 2020 California Citizens Redistricting Commissioner. We heard from:

- **Russell Yee**, Rotating Chair, and Final Recommendations Report Co-Author, 2020 California Citizens Redistricting Commission
- **Arnold Townsend**, Chair, 2021-22 Redistricting Task Force
- **Jeremy Lee**, Member, 2021-22 Redistricting Task Force
- **Eric McDonnell**, Chair, 2011-12 Redistricting Task Force

The FIERCE Committee hopes to provide vetted recommendations in the coming months. This will empower the full Commission with the knowledge and confidence to refer thoughtful options to the Board of Supervisors, including the possibility of simply allowing San Francisco to fall under State law.

Phase III—Recommended Legislative Strategy and Community Engagement

A Charter amendment can be put on the ballot by a majority of the Board of Supervisors, referred to the Board by the Mayor, or via a signature-gathering campaign. We recommend the first option to increase broad support for the measure, while reducing the burden of a campaign. However, we hope to ask the Mayor for her support for this good government measure as well.

Based on feedback from Commissioners at our March 2023 meeting, we have begun engaging potential legislative champions, who would then take on the task of holding public input hearings with their staff resources. President Aaron Peskin has already indicated his interest in supporting our eventual reform proposal. We have also reached out to Supervisors Myrna Melgar and Matt Dorsey, who are considering co-sponsorship. Supervisor Melgar represents a

western district of the City, while Supervisor Dorsey represents an eastern district, as well as being Chair of the Rules Committee. It is our intention to reach out to all of the Supervisors at the appropriate time with the assistance of all willing Commissioners who currently reside in 5 different districts. Once the Commission has approved a set of recommendations, our legislative champions can hold community hearings to validate the proposal and/or raise any remaining concerns to be addressed before the ballot measure language is finalized. While, the sponsors will undoubtedly have their own approach for community engagement, we will pass along the outreach plan we previously proposed below.

While the Commission cannot take a position once a measure is placed on the ballot, we will stay in touch with legislative champions during the committee process and hearings.

APPENDIX: PROPOSED OUTREACH PLAN (FOR BOARD)

We recommend a robust outreach to the public to publicize hearing date(s), inviting comments on some or all aspects of the redistricting process and how it can be improved. It is essential to have community input to refine our proposed reforms for future redistricting cycles. We'd like to target at least one hearing in a community venue (not at City Hall), but it will depend on Committee and venue availability. It may be possible to conduct them virtually as well.

Dates:

- At least two community hearings, one in a community venue
- Evening or weekends to improve attendance

Tactics:

- Post information on the Commission's website and social media channels.
- Send an official press release and reach out to media organizations to promote public hearing date(s).
- Leverage the Department's ongoing outreach activities to community organizations
- Leverage the Department's social media and other communication channels to promote public hearing date(s).
- Explicitly invite neighborhood associations/centers, CBOs with City contracts, past RDTF members and past participants in the redistricting process.
- Ask good government groups to get the word out.
- Ask Supervisors to include information in their district newsletters.

Proposed Outreach Materials

The committee will finalize a document to help the public provide input to inform the Commission's final reform recommendations. In addition to a summary of the Redistricting Initiative and a link to resources generated during Phase I, it will advise the public on how to provide actionable and helpful input. For example:

Please refer to the Summary of Redistricting Reform Recommendations document in preparation to give input. Key questions the Commission would like input on:

Composition & Selection

1. How can the City leverage planned outreach activities, or what might be innovative campaigns to consider to build a large and representative RDTF applicant pool?
2. Should there be a requirement that at least one RDTF member be selected from each district?
3. Should at-large members be added to increase the size of the RDTF for greater representation?
4. Should alternates be selected, and if so:
    a. How many
    b. How selected
    c. And should they serve as non-voting members?
5. What minimum qualifications should be required for all RDTF members?
    a. To eliminate political conflicts of interest during service? Post service?
    b. Others?
6. What additional factors beyond those used by the California CRC (gender, race/ethnicity, location/[district], socioeconomic status) should be considered during the selection process to ensure a diverse and representative RDTF?
    a. Should a modest stipend be paid to RDTF members to encourage more applicants of lesser means to serve (similar to SF Be The Jury program)?
7. What trusted impartial City entity or individual(s) should vet applicants and administer the selection process (e.g. Ethics Commission, Controller, Dept of Elections/SFEC, retired judges, etc.)?
8. Should some or all of the RDTF members be randomly selected? If so, what would you propose to ensure a diverse commission?

Onboarding & Training

1. What specific training should be required for all RDTF members?

Redistricting Criteria

1. Where might SF deviate from the Fair Maps Act to accommodate unique characteristics, e.g. cultural districts, definition of Communities of Interest, 5% population equality?

Operations & Decision-Making

1. By when must the RDTF be seated to enable adequate time?
2. What should the draft map deadline(s) be to enable adequate time for meaningful public input and collaboration?
3. Should the final map deadline remain April 15 or be relative to state/local deadlines?
4. Should a *special* supermajority be required (to force consensus among “factions")?
5. What is a realistic failsafe that provides the right incentives for the RDTF to complete their task?

Accountability & Transparency

1. What additional transparency measures should be required to prevent political influence, ensure strict adherence to redistricting criteria, and assure public trust in the process?

2. What processes should there be for removal and replacement of RDTF members that preserve independence and accountability (depending on the selection process)?
3. What other enforcement mechanisms should be enacted to ensure accountability and transparency?

Administration and Support

1. How should the RDTF be staffed to assure independence while best leveraging existing City resources and departments?
    a. For outreach
    b. Language support
    c. Contracting
    d. Legal counsel