

Date: December 2, 2023
From: Commissioner Jerdonek

RE: Redistricting Document Suggestions

Here are some suggestions on the redistricting document following the Commission's November meeting (some of these I said during the meeting).

First, three higher-level comments:

1. Mention challenges the Commission had when selecting its applicants

The Commission was involved in the redistricting process when it selected three out of the nine applicants, per the Charter. I think it would be good to list some of the challenges the Commission had during that selection process. This will further motivate the redistricting initiative because it provides concrete examples of how the current Charter directly impacts the Commission. It raises the question of whether the Commission can effectively carry out what the Charter asks: Does the Charter currently set the Commission up for success in this process?

Here were some of the challenges:

- The Commission doesn't have the resources to politically vet applicants. During the selection process, many Commissioners expressed a desire for its applicants to be nonpartisan / not politically aligned (in potential contrast to the applicants chosen by the Mayor and Board). However, the Commission didn't have the resources to do this.
- Related to the above, the Commission didn't have any clear yardsticks for determining whether applicants were nonpartisan / politically aligned. This is a nuanced and potentially controversial question, and different Commissioners can have different ideas. If it were spelled out in law, this would cease to be an issue.
- During the Commission's selection process, many Commissioners expressed a desire for the nine members to be collectively representative of the City's range of diversity. However, the Commission is only responsible for three of the nine members. With the current process, it's possible that the Commission's choices overlap with the selections of the other two appointing entities (Mayor and Board) in terms of representing diversity, causing the resulting 9-member body not to represent the full diversity of the City. For this to be done, the selection needs to be coordinated (e.g. by being done by a single agency). The current Charter provisions don't provide any way of coordinating.
- Finally, the selection process is highly subjective, with no clear criteria. Can the Commission objectively choose the best three out of 30+ applicants? A vetting process with an up-or-down option (is qualified or isn't qualified against defined criteria) would be more objective and easier to carry out. The subjective nature of

the selection process is what exposed the Commission to criticism in the first place. If the process were more objective, this wouldn't have been an issue.

2. Mention that Proportional Ranked Choice Voting (PRCV) wasn't discussed

Since the document is now being expanded and you won't have the same space constraints, can you include the full text I mentioned in my October 26 suggestion letter about the scope of the discussion? (I will be reattaching that original document.) In particular, I think it's important to name the concept of "Proportional Ranked Choice Voting (PRCV)." Not everyone knows about PRCV, and it's a potentially transformative reform in the context of redistricting. In the summer of 2022, I had wanted to include PRCV as part of our redistricting discussions. Commissioners thought we didn't have enough time but said that instead we could include mention of it in the introduction.

3. Random selection

It would be good to include more detail about what a good random selection process could look like. This way, people can be confident the selection part is truly random, and that the agency chosen doesn't really matter for this stage (as it's just following a standard procedure) and only matters for the vetting.

For example, you could mention that the random selection could be done like the Department of Election does the 1% random selection of precincts after each election, as required by California Elections Code Sec. 15360.¹ In this process, the Department randomly selects one percent of the approximately 520 precincts for the state-mandated one percent manual tally. After the ballots are counted for an election, the Department holds a public event outside the Department to choose the precincts. People take turns rolling three 10-sided dice in public view. Each roll generates a number between 000 and 999. The corresponding precinct can be looked up on a spreadsheet, or re-rolled if the number doesn't correspond to a precinct.

And here are some finer-grained suggestions on the document attached to the November packet:

- Title it with "SF Elections Commission" instead of "FIERCE Committee" (but write DRAFT to make clear it isn't final yet).
- On page 4, in addition to your three points, you could add something like, "The Charter grants the Commission an explicit role in the redistricting process (by selecting a third of RDTF appointees and overseeing the Department which manages the operations of the RDTF)."

¹ California Elections Code Sec. 15360:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=15360.

- On page 6, I wouldn't say "broader mandate" since the 1994 Elections Task Force wasn't authorized / didn't have a mandate to do many of the things that our Commission does (e.g. oversee the Department), so it was a similar but different mandate.
- Also on page 6, can you cite the DeLeon quote (where / when)?
- On page 7, can you provide hyperlinks to the Fair Maps Act and two state bills?
- On page 8, I would say, "Why Discuss Now?" instead of "Why Now?" to clarify that this is about why the Commission chose to discuss this topic now. Otherwise, it's not clear if it means, "Why should something go on the ballot now?" which is a big difference.
- On page 15, what does "same as Dept of Elections" mean?
- On page 21, I would emphasize that the selection will be random, so it's only for the vetting process where the particular agency can have an effect (provided the random process is done correctly, e.g. in public).
- On page 45, will it be clear what the "existing key redistricting provisions" refers to? If possible, it would be good to list that or point to where they can be found.
- On page 48, if the "Redistricting Initiative Plan" is listed, it would be good to clarify in the title that it's a proposed plan, and maybe proposed by whom.
- On page 49, Appendix B needs some introductory context / description, e.g. saying what it was prepared for, who authored it, and whether it was adopted by anyone or was only discussed.

Date: October 26, 2023

From: Commissioner Jerdonek

To: FIERCE Committee

RE: Text Suggestion for Redistricting Recommendations Document

This memo includes some suggested text for inclusion in the introduction of the redistricting document that the FIERCE Committee is working on.

In the summer of 2022, when the Commission first started discussed redistricting, I had asked if reforms like proportional representation (PR) could be included in the scope of our future discussions. I was interested because PR can do a better job of representing communities of interest than single-member districts can. Also, depending on how PR is implemented, it could eliminate the need to draw district lines or at least reduce their importance. We had also just learned from some of our speakers that PR was studied and supported by the Elections Task Force that San Francisco voters created in 1994.

In response to my question, Commissioners felt we didn't have the time and bandwidth to include broader topics like this. However, Commissioners did suggest it could be included in the introduction of any document that the Commission comes up with. This way, people won't interpret its omission as meaning the reform isn't important.

Following that suggestion, here is my suggested text:

The Elections Commission's discussions on redistricting were limited to the process of drawing lines. The Commission did not consider broader changes like the number of districts, the number of supervisors to elect from each district, or the method of voting to elect those supervisors. This isn't because changes like these aren't worth considering. For example, electing supervisors using a system of proportional representation like Proportional Ranked Choice Voting (PRCV) — either at-large or from multi-member districts—could in fact do a better job of representing communities of interest than single-member districts can. This is because many communities aren't concentrated in any one district but instead are spread throughout the City. To consider broader election reforms like these, the Board of Supervisors could convene an independent Elections Task Force like the one San Francisco voters created thirty years ago in 1994. As another example, the City Council of Portland, Oregon convenes an independent Charter Commission every ten years, with their most recent one proposing several election-related reforms for voters to consider.

Thank you.