

California

State website:	www.wedrawthelines.ca.gov
2010-cycle districts:	Congress , State Senate , State Assembly « NEW
2000-cycle districts:	Berkeley database , California Voter Foundation Congress , State Senate , State Assembly
Primary governing law:	Cal. Const. art. XXI ; Cal. Gov't Code §§ 8251-8253.6

The Latest

On August 15, 2011, the [independent commission](#) voted (12-2 for congress, 13-1 for state legislature) to approve [final legislative and congressional maps](#); the maps were [precleared](#) on January 17. State and federal [lawsuits](#) challenging the congressional and state Senate maps have been rejected; a challenge to the composition of the commission itself is [ongoing](#).

The official maps and basic demographic information are [here](#) and [here](#). More analysis and much more detailed demographic information is available [here](#) and [here](#).

A 2012 referendum on the state Senate districts [qualified](#) for the November 2012 ballot. On January 27, 2012 the California Supreme Court (following [my analysis](#)) [ruled](#) that the Commission's lines would be used temporarily, until the referendum was held -- the measure was [defeated at the polls](#), confirming the district lines until the next cycle.

On Oct. 7, California's governor signed [legislation](#) to adjust redistricting starting in **2020**, to account for the distortion caused by [people in prison](#).

Institution

Redistricting political control:

	Governor	State Senate	State House
Congressional lines	Independent commission with balanced partisan composition		
State legislative lines			
2000 cong. lines	D	26 D, 14 R	50 D, 30 R
2000 state lines	D	26 D, 14 R	50 D, 30 R

California's congressional and state legislative lines are now drawn by a 14-member [independent commission](#), created by ballot initiative in **2008**, with expanded scope granted in **2010**.

Commissioners must have voted in at least two of the last three statewide elections, and may not have changed party affiliation for at least five years. Neither commissioners nor immediate family may have been, within ten years of appointment, a candidate for federal or state office or member of a party central committee; an officer, employee, or paid consultant to a federal or state candidate or party; a registered lobbyist or paid legislative staff; or a donor of more than \$2,000 to an elected candidate. Furthermore, neither commissioners nor immediate family may be staff, consultants, or contractors for state or federal government while serving on the commission. [[Cal. Gov't Code § 8252\(a\)](#)]

With an eye to analytical skills, impartiality, and diversity, a panel of three state auditors choose 20 Democrats, 20 Republicans, and 20 who are neither to be nominees for the commission; the four legislative leaders (majority and minority leader in each legislative house) may each cut two people from each pool. Eight commissioners (3 Democrats, 3 Republicans, 2 neither) are chosen randomly from the remaining nominees; those eight choose six colleagues (2 Democrats, 2

Republicans, 2 neither), to reflect the diversity of the state. The final commission thus has 14 members (5 Democrats, 5 Republicans, 4 neither). [Cal. Gov't Code § 8252(b)-(g)]

The current commissioners are listed [here](#).

Nine votes are necessary to approve a plan: 3 Democrats, 3 Republicans, and 3 neither. [Cal. Const. art. XXI, § 2(c)(5)] Each map is also subject to public referendum. If the commission fails to pass a map, or a map is overturned by referendum, the California Supreme Court will select special masters to draw that map; the California Supreme Court also has exclusive jurisdiction in state court for legal challenges to maps that are passed. [Cal. Const. art. XXI, §§ 2(j), 3(b)]

Timing

Census data were delivered to California on [March 8, 2011](#).

Though not required to do so, the commission released draft maps on [June 10, 2011](#). The commission must produce congressional and state legislative plans by August 15, 2011; if the commission does not pass a plan by that date, the Secretary of State must ask the California Supreme Court to appoint special masters to do so. [Cal. Const. art. XXI, § 2(g), (j)] If, within 90 days of the plan's enactment, a referendum petition is signed by voters amounting to 5% of the 2010 gubernatorial vote (which would be 504,759 voters), the plan will be submitted for referendum at a special statewide election or at the next general election. [Cal. Const. art. II, § 9]

Candidates must file for congressional and state legislative primary elections by March 9, 2012, unless an incumbent running for reelection fails to file by that date, in which case the filing deadline is March 14, 2012. [Cal. Elec. §§ 8020(b), 8022]

California prohibits redrawing district lines mid-decade, before the next Census. [Legislature of State of Cal. v. Deukmejian, 34 Cal.3d 658 (1983)]

Public input

Commission proceedings are subject to the state [Open Meetings Act](#); commission records, redistricting data, and computer software will be available to the public. Both the commission and the legislature must issue public reports after drawing the plans for state legislative or congressional districts, explaining their decisions. [Cal. Const. art. XXI, § 2(h); Cal. Gov't Code § 8253]

The commission held extensive [hearings](#) in nine different regions throughout the state. Transcripts of past hearings and meetings are [here](#); links for streaming video of live hearings and archived videos of past hearings are [here](#).

The commission invited public input, at these hearings and beyond, with [more than 2700 witnesses](#) giving testimony. Materials explaining the mechanism for input are [here](#). The [nearly 20,000 comments](#) submitted by the public are archived [here](#).

The Redistricting Group at Berkeley Law School opened six [technical assistance sites](#) around the state to assist the public in preparing submissions. Also, Advancement Project created an [online application](#) allowing the public to get information about areas of the state, annotate their own communities, or draw full district plans.

On June 10, 2011, the commission released [draft maps](#) for public comment. The commission initially planned to release a second series of drafts on July 14, but then [reversed course](#). Instead of that release, it has released preliminary "visualizations" ([here](#) and [here](#)) of what drafts might look like. The commission released [final draft maps](#) on July 29.

Criteria

Like all states, California must comply with constitutional **equal population requirements**. [Cal. Const. art. XXI, § 2(d)(1)]

California must also, like all states, abide by **section 2 of the Voting Rights Act**. Because four California counties (Kings, Merced, Monterey, and Yuba) are considered "**covered jurisdictions**" under **section 5 of the Voting Rights Act**, California has an obligation to submit redistricting plans to the Department of Justice or to the U.S. District Court for the District of Columbia, to ensure that the plans do not discriminate against minority communities in those counties.

The California constitution further requires that districts be contiguous. To the extent possible, they must also preserve the geographic integrity of cities, counties, neighborhoods, and communities of interest. To the extent practicable, and where so doing does not violate higher-priority constraints, districts must also encourage compactness, defined by lines that do not bypass nearby population in favor of more distant population. Finally, where practicable, and where not in conflict with the criteria above, state Senate and Assembly districts must be nested within each other. [Cal. Const. art. XXI, § 2(d)]

In drawing maps, the commission may not consider candidate residences, and districts may not be drawn to favor or discriminate against a candidate or party. [Cal. Const. art. XXI, § 2(e)]

2010 cycle cases

Connerly v. California, No. 34-2011-80000966 (Cal. Super. Ct., Sacramento County) & No. C073753 (Cal. Ct. Appeals, 3d Appellate Dist.): a challenge in the state courts to the selection of redistricting commissioners reflecting the state's diversity, including racial, ethnic, and gender diversity; the challenge is lodged under the state constitution, prohibiting discrimination or favorable treatment based on race in public employment, education, or contracting.

Trial court

- **Petition** (Oct. 4, 2011) and **amended petition** (Mar. 20, 2012).
- **Demurrer to initial complaint** by state (Dec. 16, 2011).
 - State's **demurrer to amd. complaint** (Apr. 30, 2012), **opp.** (May 18), **reply** (May 24).
 - Auditor's **demurrer to amd. cmplt. (memo)** (Apr. 30), **opp.** (May 18), **reply** (May 24).
 - Common Cause et al. **amicus brief** (May 15), **opposition** (May 24).
- **Opinion granting demurrer, dismissing case** (Dec. 21, 2012).

Court of appeals

- **Plaintiffs' brief** (Aug. 19, 2013).
 - Response by **State** (Nov. 12), **Auditor** (Nov. 15).
 - **Reply** (Jan. 7, 2014).
 - Amicus brief by **California Common Cause et al.** (Jan. 23).
- **Opinion reversing trial court, remanding for amended complaint** (Sept. 3).

Trial court II

- **Second amended petition** (Dec. 4, 2014).
 - **Plaintiffs' demurrer** to state's affirm. defenses (Feb. 23, 2015).

The latest: On December 21, 2012, the court **granted** the demurrer and dismissed the case, finding that the redistricting commissioners are public officers rather than public employees, and therefore beyond the reach of the state constitutional provision prohibiting discrimination or favorable treatment based on race in public employment, education, or contracting. On September 13, 2014, the court of appeals **reversed and remanded**, with instructions to allow the plaintiffs to file an amended complaint with a new legal theory.

Vandermost v. Bowen, No. S196493 (Cal. Sup. Ct.): a challenge in the state Supreme Court to the state Senate maps, based on alleged violations of state constitutional criteria and the federal Voting Rights Act.

- **Original** (Sept. 15, 2011), **1st amended petition** (Sept. 29).
 - **Quinn declaration, supplement, and 2nd supplement**.
 - Exhibits vols. **1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.**
- Commission opposition **part 1** and **part 2** (Oct. 11), exhibits vols. **1, 2, 3, 4, app.**
- Secretary of State **opposition** (Oct. 11), exhibits vols. **1, 2.1, 2.2.**

- **Petitioners' reply** (Oct. 17).
- **Motion to strike Quinn declaration** (Oct. 11), **opposition** (Oct. 17).
- **Order denying petition** (Oct. 26).

The latest: On October 26, the California Supreme Court **denied** petitioner's challenge to the state Senate maps.

Radanovich v. Bowen, No. S196852 (Cal. Sup. Ct.): a challenge in the state Supreme Court to the congressional maps, based on alleged racial gerrymandering, violations of state constitutional criteria, and violations of the federal Voting Rights Act.

- **Petition for writ of mandate** (Sept. 29, 2011).
 - Quinn declaration and exhibit vols. **1.1, 1.2, 1.3, 1.4, 1.5, 2.**
 - Exhibits vols. **1.1, 1.2, 1.3, 1.4, 1.5, 2, 3, 4, 5.**
- Commission opposition **part 1** and **part 2** (Oct. 11), exhibits vols. **1, 2, 3, 4, app.**
- Secretary of State **opposition** (Oct. 11), exhibits vols. **1, 2.1, 2.2.**
- Petitioners' reply **part 1, part 2** (Oct. 17).
- **Motion to strike Quinn declaration** (Oct. 11), **opposition** (Oct. 17).
- **Order denying petition** (Oct. 26).

The latest: On October 26, the California Supreme Court **denied** petitioner's challenge to the congressional maps.

Radanovich v. Bowen, No. 2:11-cv-09786 (C.D. Cal.): a challenge in federal court to the congressional districts, alleging unconstitutional racial gerrymandering and violations of the Voting Rights Act.

- **Complaint** (Nov. 23, 2011).
- **Motion to dismiss** (Jan. 12), **opposition** (Jan. 23), **reply** (Jan. 30).
- **Order granting motion to dismiss** (Feb. 9).

The latest: On February 9, the court **dismissed** the case on res judicata grounds, finding that the plaintiffs had already received a decision on the merits in state court.

Vandermost v. Bowen II, No. S198387 (Cal. Sup. Ct.): a challenge in state court to state Senate districts (including a request that the court prepare alternative districts) in light of the alleged likelihood that the districts will be qualified for referendum.

- **Petition** (Dec. 2, 2011).
 - Supporting declarations by Bell (**I** and **II**), **Quinn** (Dec. 6).
 - Preliminary opposition by **SoS, redistricting comm'n** (exh. vols. **1, 2, 3, 4**) (Dec. 6).
 - Supporting declaration by **Lean** (Dec. 6).
 - **Reply** and **supporting declaration** (Dec. 7).
- **Order to show cause** (Dec. 9).
 - Opposition by **SoS, redistricting commission** (Dec. 14).
 - **Reply** (Dec. 19).
 - Amicus brief by **Munger** (Dec. 21), **reply** (Dec. 22).
 - Amicus brief by **Common Cause, Sen. Steinberg** (Dec. 21), **consol. reply** (Dec. 22).
- Supp. briefing re impact of signature validity rate, by **petitioner, SoS, comm'n** (Jan. 4).
 - Supp. replies by **petitioner, SoS, commission** (Jan. 6).
- **Opinion** using **Commission maps temporarily, even if referendum qualifies** (Jan. 27).

The latest: If enough signatures have been submitted to qualify the state Senate maps for a November referendum, the Commission's state Senate map is not legally binding. On January 27, the state Supreme Court **ruled** that if the referendum qualified, the Court would use the Commission's Senate maps as temporary lines, given the absence of better alternatives. A referendum would still determine the long-term viability of the Commission's map.

2000 cycle

In the 2000 redistricting cycle, California's legislature controlled the redistricting process. The **state Assembly, state Senate**, and **congressional** maps were enacted on September 26, 2001, and **precleared** on November 30, 2001.

The state Senate and congressional plans were **challenged** in federal court, and the state Assembly plan was challenged in state court. All were ultimately upheld. [*Cano v. Davis*, 211 F. Supp. 2d 1208 (C.D. Cal. 2002); *Nadler v. Schwarzenegger*, 137 Cal.App.4th 1327 (2006)]

Other state links

- The Redistricting California coalition
- U.C. Berkeley's Statewide Redistricting Database
- Redraw CA (by Advancement Project)
- Redistricting Partners
- JoinCalifornia historical redistricting maps

Congress	State legislature	Maps & Data	States			
Current status	Current status		Alabama	Indiana	Nebraska	South Carolina
Timing	Timing		Alaska	Iowa	Nevada	South Dakota
Authority	Authority	Litigation	Arizona	Kansas	New Hampshire	Tennessee
Institution	Institution		Arkansas	Kentucky	New Jersey	Texas
Party control	Party control		California	Louisiana	New Mexico	Utah
Criteria	Criteria	Reform	Colorado	Maine	New York	Vermont
			Connecticut	Maryland	North Carolina	Virginia
			Delaware	Massachusetts	North Dakota	Washington
			Florida	Michigan	Ohio	West Virginia
			Georgia	Minnesota	Oklahoma	Wisconsin
Overview of redistricting		Further resources	Hawaii	Mississippi	Oregon	Wyoming
Why it matters	Redistricting criteria	My work	Idaho	Missouri	Pennsylvania	
Public engagement	Preclearance	Tools	Illinois	Montana	Rhode Island	