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Re: Charter Amendment to create Independent Redistricting Commission

To the Mayor, Councilmember Austin and the City Council:

At the last hearing on this issue, on June 12, our group Equitable Redistricting for Cambodians raised many issues about the proposed amendment. The Mayor promised that our concerns would be heard and that we could all work together to create the best plan possible for Long Beach. Since that time, it has been a pleasure to work with Mark Taylor, Chief of Staff for the Mayor's office and Common Cause to produce the current version of the proposed Charter Amendment. We join with Common Cause in its high approval of the new proposal and especially want to thank and acknowledge the Mayor's office, in particular Mark Taylor, for his commitment to collaborative excellence.

We have also seen the changes to the current version proposed by Common Cause. We agree with all the changes except one - item 6 "Alternate Screening panel." The current version and the Sacramento model both require a retired judge be one of the panelists. Common Cause reports that some places have had difficulty finding retired judges willing to serve and therefore, instead of a retired judge, that spot on the screening panel could go to any "former member of a Los Angeles County grand jury." Such a grand juror would also have to meet the requirements for being a commissioner under Section ____ (f)(2).

Having looked at the requirements for being a grand juror and given the importance and composition of the other two spots, we feel a retired judge is the best fit. Judges, by training and experience, are analytical, used to following legislative direction, accustomed to balancing equities and the like. We do not know where and why there have been problems recruiting judges, but in LA-Long Beach there are many retired judges who regularly engage in mediation panels at least. Any of the legal mediation services, JAMS, ADR and others have extensive lists of retired judges. It may be necessary to pay for their services, but there is no prohibition on doing that and the amount of time required in their participation on the screening panel seems quite limited. They are of course also sensitive to legal issues and may avert problems before they arise.

The screening panel's job is very important: it creates the subpool from which the actual commissioners are selected. Said another way, they decide who does not move from the pool into the subpool. This has the potential to be controversial and the most likely way to quiet speculation about why a person is not selected for the subpool is to use a retired judge.

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Common Cause, of course, has much more experience in the implementation of these plans so another approach would be to try for a retired judge and only if that attempt was unsuccessful, allow for a former Los Angeles County grand juror to be selected. Thus we recommend that this section be unchanged or, if it is to be changed, to read:

*If an ethics commission matching the description in subsection (1) does not exist, a panel of Long Beach residents consisting of one retired judge, one law, government or public policy professor teaching at an accredited institution and one member of the governing board of a non-profit organization qualified under Internal Revenue Code section 501(c)(3) that has a history of advocating for good government reform in the city. **If a retired judge living in Long Beach and willing to serve has not, after a diligent search, been identified, then a retired judge living in Los Angeles County, and if no such judge is willing to serve, then a former member of a Los Angeles County grand jury.***

Sincerely,

By: 

Marc Coleman
Advisor to Equitable Redistricting for Cambodians