



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE  
(213) 974-1832  
FACSIMILE  
(213) 617-7182  
TDD  
(213) 633-0901  
E-MAIL  
GEachus@counsel.lacounty.gov

RODRIGO A. CASTRO-SILVA  
County Counsel

September 13, 2021

BY ELECTRONIC FILING

The Honorable Tani Cantil-Sakauye  
Chief Justice, and Associate Justices  
California Supreme Court  
350 McAllister Street  
San Francisco, California 94102-4797

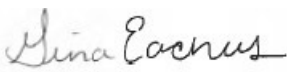
**Re: Legislature of the State of California v. Shirley N. Weber  
Docket No: S262530  
Letter of Dean C. Logan, Los Angeles County Registrar-  
Recorder/County Clerk in Support of Respondent Secretary of  
State's Opposition to Emergency Motion to Clarify and/or  
Modify Writ of Mandate**

Dear Honorable Justices:

On behalf of Dean C. Logan, Los Angeles County Registrar-Recorder/County Clerk, we attach and file with this Court the letter in support of Respondent Secretary of State's Opposition to Emergency Motion to Clarify and/or Modify Writ of Mandate.

Very truly yours,

RODRIGO A. CASTRO-SILVA  
County Counsel

By 

GINA EACHUS  
Senior Deputy County Counsel  
Government Services Division

GE:eb  
Attachment



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

September 13, 2021

VIA Electronic Submission

Honorable Chief Justice Tani Cantil-Sakauye  
and Honorable Associate Justices  
California Supreme Court  
350 McAllister Street  
San Francisco, CA 94102

**RE: *Legislature of the State of California v. Shirley N. Weber***  
**California Supreme Court Case No. S262530**  
**Letter of Dean C. Logan, Los Angeles County Registrar-Recorder/County Clerk in**  
**Support of Respondent Secretary of State's Opposition to Emergency Motion to**  
**Clarify and/or Modify Writ of Mandate**

Dear Honorable Justices:

As the Los Angeles County Registrar-Recorder/County Clerk, I write this letter in support of California Secretary of State ("SOS") Dr. Shirley N. Weber's Opposition to the California Citizen Redistricting Commission's Emergency Motion to Clarify and/or Modify Writ of Mandate (the "SOS Opposition").

In my capacity as the elections official in the most populous county in California, with a registered voting population of approximately 5.6 million people and over 10 million residents, and as a Past President and member of the Board of Directors for the California Association of Clerks and Election Officials, I am well positioned to provide information on the operational impacts to county election administration responsibilities should the deadline for the California Citizens Redistricting Commission ("Commission") to file final boundary maps be extended beyond December 15, 2021.

- I. Any Extension of Time Will Impair the Ability of Election Officials to Complete the Election Administration Duties for the 2022 Statewide Elections**
  - a. June 7, 2022 Primary Election**

As outlined in the SOS Opposition, election officials must have sufficient time to prepare for elections and to administer the June 7, 2022 primary election successfully. Adequate time must be allotted for each county to fully implement newly adopted boundaries in advance of the

Document received by the CA Supreme Court.

mandated pre-election activities that determine candidate and voter eligibility and jurisdictional placement.

Upon the final release of the 2020 census tract boundaries by the Census Bureau, Registrar-Recorder/County Clerk ("Registrar") staff will assign all County sub-precincts to corresponding 2020 census tracts and remove the 2010 census tracts that no longer exist. After census tract boundaries have been implemented in the County's Election Management System ("EMS") and the Commission has formally adopted new jurisdictional boundaries, County staff must then load the new boundary maps into the EMS and overlay the boundaries on existing precinct maps. County staff must review each new district and precinct to determine if a new precinct must be created or an existing precinct must be modified to match the newly adopted boundaries lines. The re-precincting process requires staff to review existing, modified, and newly created precincts to ensure (1) no precinct exceeds 1,000 active registered voters; (2) precinct lines trace the street center line, parcel, or census block; (3) boundaries are contiguous; and (4) precincts are not fragmented and consolidated wherever possible. The results must then be validated within the County's EMS to verify that street segments have not inadvertently been split and the number of active registered voters per precinct does not exceed 1,000. An additional review must be completed by management before final precinct boundaries are adopted.

In addition to completing this process for congressional, State Assembly, State Senate, and the Board of Equalization districts, the County must also re-precinct for the County's five supervisorial districts and for approximately 88 cities, 100 school and community college districts, and 55 general and special districts in advance of the pre-election requirements for the June 7, 2022 primary election — including the City of Los Angeles, the largest city in the State with 15 Council Districts. All of these precincts are built off of the jurisdictional boundaries of congressional, State Assembly, State Senate, and Board of Equalization lines. The County's re-precincting process for congressional, State Assembly, State Senate, and Board of Equalization is projected to take a minimum of five weeks to complete.

Once the re-precincting process is complete for the County, the Registrar must upload the new precincts to the SOS's centralized voter registration database, VoteCal. For the first time in the 2020 redistricting cycle, all 58 counties must exchange precincts with VoteCal and each county will work with VoteCal staff to analyze and verify the data until any anomalies are eliminated. The synchronization process is estimated to take a minimum of five weeks to complete for the County; however, based on prior experience with data synchronization between the County's EMS and VoteCal and this being the first redistricting cycle on the statewide system, the process may require additional time, quality review, and refinement.

With an already expedited timeline due to the delay in redistricting data from the Census Bureau, and the extension of the Commission's deadline to December 15, 2021, our ability to timely complete re-precincting and the syncing process before statutorily mandated pre-election activities is significantly impaired. The process is designed to be completed prior to the start of the period for candidates to gather signatures for the in-lieu-filing-fee petitions as outlined in Elections Code sections 8106(b) and 21501(a)(2), which begins 173 days before the election. This is so that a potential candidate knows beforehand both in what district she or he is registered and entitled to be a candidate, and also which voters live within that district. For the June 7, 2022 primary election, the period to gather signatures for the in-lieu-filing-fee petitions begins on December 16, 2021, and signatures must be submitted no later than February 9, 2022, 118 days before the election. Completion of re-precincting and the synchronization process is also important to determine if an individual is an eligible candidate when he or she files a declaration

of candidacy and nomination papers during the candidate nomination period outlined in Elections Code sections 8020 and 10407, which begins 113 days before the election and ends no later than 88 days before the election. For the June 7, 2022 primary election, the candidate nomination period begins on February 14, 2022 and ends on March 11, 2022. If this process is incomplete or results in inaccuracies due to the compression of time, the risk of litigation and election disruption increases substantially.

Even if Senate Bill 594 is signed into law by the Governor and the periods to begin circulating in-lieu-filing-fee petitions or to file candidate-nomination paperwork are modified, all precinct boundaries and synchronization activities must be completed by March 11, 2022, 88 days before the June 7, 2022 primary election, because the public examination period for candidate statements, candidate names, and ballot designations begins on March 12, 2022. (See Elections Code §§ 13313, 13314.) During the public-examination period, any person has a statutory right to file a writ of mandate or an injunction to require any candidate name, candidate statement or ballot designation be amended or deleted. (*Id.*) Further compression of these timelines reduces the transparency and public engagement in these election-related activities.

Conservatively, the Registrar estimates the entire re-precincting and synchronization process to take a minimum of approximately 70 days (5 weeks for re-precincting and 5 weeks for synchronization). By comparison, the Registrar would have had 123 days to complete the process under normal circumstances (from August 15, 2021 until 173 days before the next regular election or December 16, 2021). With the extension of the Commission's deadline to December 15, 2021, the Registrar will only have 49 days until the candidate nomination period begins to complete all redistricting activities. An extension to January 3, 2022 or even January 14, 2022 would further reduce the Registrar's time to complete re-precincting and the synchronization process to 42 or 31 days, respectively.

#### **b. November 2, 2022 General Election**

Since the last federal decennial census and redistricting cycle in 2011, the majority of cities, local jurisdictions and special districts have moved to consolidate their regularly scheduled elections from the established election dates in odd-numbered years to the statewide election dates in even-numbered years, consistent with Elections Code sections 14050-14057 (California Senate Bill 415 (2016)). Effectively, these consolidations increase the number of jurisdictions and districts conducting elections in June and November 2022 and significantly expand the workload for county elections officials responsible for re-precincting boundaries for each jurisdiction. For the November 2, 2022 General Election, there is a limited window for elections officials to re-precinct local jurisdictions' newly-adopted boundaries after the June 7, 2022 primary because once a local jurisdiction has completed its redistricting process and has adopted new boundaries, the elections officials cannot begin re-precincting until the election and canvass activities are complete, which is typically 30 days after the primary election.

Election preparation activities begin well in advance of the November 2, 2022 General Election and require re-precincting to be timely completed, because the candidate nomination period for the General Election begins 113 days before the election on July 16, 2022, and ends 88 days before the election on August 10, 2022. (Elections Code §§ 10407, 10510.) Any delay in the June 7, 2022 primary election date would therefore lead to downstream impacts in the ability to prepare for the November General Election.



**c. Statutorily Mandated Obligations of Elections Officials**

In addition to the re-precincting and election preparation and canvass activities outlined above, and as indicated in the SOS Opposition and the Response of the Legislature of the State of California to the Commission's Emergency Motion to Clarify and/or Modify Writ of Mandate, once boundary lines are adopted and precincts are finalized, elections officials have additional statutory obligations to county voters, including the requirement to provide language services and election materials in languages other than English in certain precincts. (See Elections Code § 14201.) The County of Los Angeles also administers elections under the Voter's Choice Act (see Elections Code § 4005, et seq.) and each registered voter must be provided with a Sample Ballot and Vote-by-Mail ballot in the language of their choice. Compliance with these requirements also depends on timely completion of the re-precincting process.

Meanwhile, county elections officials are simultaneously preparing for overlapping election activities, including administering local municipal and special elections; conducting 1% manual tallies and recounts; reviewing initiative, referendum, and recall petitions; and reviewing ballot materials including ballot measures, ballot designations, and candidate statements. Of significance in Los Angeles County, are a potential countywide recall election and multiple city or district recall elections that, if qualified, will require full election services during the same short timeframe in which re-precincting and the synchronization process must be completed.

**II. Conclusion**

Any delay beyond December 15, 2021 for the Commission to adopt new boundaries would adversely impact the County's ability to prepare for the June 7, 2022 primary election, comply with statutory duties, and serve jurisdictions, candidates, and voters in the County. Those adverse conditions could subsequently impact the County's ability to prepare for and administer the November 2, 2022 General Election.

Respectfully,



DEAN C. LOGAN  
Registrar-Recorder/County Clerk

Document received by the CA Supreme Court.