

## **REDISTRICTING WILL HOLD CENTER STAGE IN 2011 LEGISLATIVE SESSION**

A little discussed but highly important outcome of the 2010 General Election races for governor and state legislature is the impact the outcome will have on many important national and state public policy decisions in the coming decade. This is because those who take the oath of office in January will be in charge of redrawing the boundaries of Pennsylvania's congressional and legislative districts. This process, called redistricting, occurs every ten years after the Federal census to ensure that all districts which send representatives to a governing body such as Congress or the state Legislature have an equal population.

Why it matters. Few people appreciate how redistricting affects their right to vote for a candidate of their choice and impedes progress on addressing the public policy issues they care about. Therefore it is an issue that does not get much public attention.

The way district lines are drawn puts voters together in groups – some voters are kept together in one district and others. Whichever group within a district has the most votes usually decides which candidate wins election to represent that district. For example, a district composed mostly of farmers will fight for farmer's interests. A district composed mostly of city dwellers may elect a representative with different priorities. Redistricting can keep a community together or split it apart, changing whether it has representatives who feel responsible for its concerns. Ultimately, the outcome can change who controls congress or the legislature and affect which policies get passed into law.

**In Pennsylvania and most other states, district lines are drawn by the very lawmakers whose political careers will be affected by the changes.** Without strong intervention from the voting public, redistricting in Pennsylvania could be a replay of the 2001 process which, by some measures, made Pennsylvania one of the most gerrymandered states in the country. Gerrymandering is defined as the process by which district boundaries are drawn to manipulate the outcome of elections. In other words, **politicians choose their voters** rather than the other way around.

How Redistricting Works. In Pennsylvania, legislative district boundaries are drawn by the Legislative Redistricting Commission. This Commission is made up of the majority and minority leaders of the PA House and Senate and a chairperson they choose who is not a legislator. If they cannot agree, the PA Supreme Court does the choosing. The Commission has "final authority" which means that they alone decide how district lines are drawn. This process, which is enshrined in the Pennsylvania Constitution, means that the leaders representing the two major political parties must usually reach a bipartisan agreement on creating a map.

In contrast, the boundaries of Pennsylvania's congressional district are determined through legislation approved by both houses of the General Assembly and signed by the governor. When both branches and the governorship are under one-party control, as will be the case when lines are drawn in 2011, that party has total control of the congressional redistricting process.

Anyone who disagrees with a redistricting decision can appeal it directly to the PA Supreme Court. To be successful, an appeal must show that the map does not meet legal requirement of "one-person-one vote" or that it violates the "Voting Right Act" which protects the voting rights of minorities.

The Outlook for Redistricting in Pennsylvania. Since the number of seats in the U.S. Congress is fixed at 435, following the 2010 federal census, the U.S. Congress will reallocate congressional districts among the 50 states to account for countrywide growth and shifts in population. Under this process, called reapportionment, Pennsylvania is expected to lose one seat reducing our Congressional delegation from 19 to 18. Currently the delegation is made up of 12 Democrats and 7 Republicans. As a result of Democratic losses in the 2010 elections, the new delegation will be 6 Democrats and 13 Republicans. Since the Republicans have absolute

one-party control over congressional mapmaking, it is expected that the new map will be drawn to protect the reelection of their new incumbents. It is also widely expected that the 12<sup>th</sup> Congressional district which was represented for years by the late John Murtha (D-Johnstown) and is now held by Rep. Mark Critz (D-Johnstown) will be eliminated. In 2010, he won reelection by a narrow 51% of the vote.

How Gerrymandering is Done. Gerrymandering for partisan advantage can be done in a number of ways.

**Eliminate Incumbents.** Pennsylvania's 12<sup>th</sup> CD is an extreme example of gerrymandering. It was created in 2001 when the Republican Party also had control of the legislature and the governorship. Through gerrymandering the Republican representation in Pennsylvania's Congressional delegation was transformed a narrow 11-10 majority in 2002 to a 12-7 majority after the 2002 elections. One way this was accomplished was by redrawing lines so that two incumbent Democrats, John Murtha and Frank Mascara were placed in the same district. In some parts of the western part of the district, one side of the street is in the 12<sup>th</sup> CD while the other is in another district, the 18<sup>th</sup>.



**Eliminating Challengers (“Hijacking”).** In this process lines are redrawn so that a challenger with a strong showing in a previous election is literally carved out of the district. When redistricting was done in Illinois, in 2001, the block around Barak Obama's house was carved out of a district in which he almost beat an incumbent in the 2000 election. He ran in his new district and won.

**Packing Partisans.** District lines are drawn so that distant pockets of voters registered in one party are cram them into a single district. This increased the chances of electing candidates of the other party in surrounding districts. Sometimes the areas connecting various parts of the district are no wider than a highway. Pennsylvania State House District #161 is an example.

PA House District 161



**Diluting Minority Votes by “Cracking”.** Population shifts can result in parts of a district becoming more African American, Asian American or Latino endangering the reelection of an incumbent who does not have the support of the new residents. The solution is to move those residents out of the district, perhaps “packing” them into a district with like-minded voters.

**Splitting Communities.** In 2001, the Republican congressional redistricting plan split Democratic leaning Montgomery County into six Congressional Districts and Democratic Berks County into four CDs. Pennsylvania's 6<sup>th</sup> Congressional District which is partly in Berks County and partly in adjacent Montgomery County is another example of extreme gerrymandering. It also incorporates parts of Chester and Lehigh Counties. Democrats claimed it was drawn to capture Republican voters. However, recent changes in voting patterns in the Philadelphia suburbs have made the district very competitive.



### When the Lines are Drawn

On December 31, 2010 the Census Bureau will deliver population counts to the President. The job of reapportioning seats among the 50 states will be finalized after the President delivers the count to the U.S. House on January 10, 2011. By April 1 the Census Bureau will finish sending data to the states.

Pennsylvania's congressional and legislative district maps must be finalized by the filing deadline for the 2012 April Primary.

### How to Get Involved

Redistricting is only one of many reform issues that need to be addressed to make Pennsylvania government work better for the people. But unlike most other reform efforts, our window of opportunity to influence such a crucial element of our democracy's foundation is fleeting. We cannot afford to wait another 10 years.

With the 2011 redistricting process looming, the League of Women Voters and Common Cause urged the 2007-08 session of the General Assembly to pass an amendment to the Pennsylvania Constitution that would have assigned redistricting power to an independent, non-partisan redistricting body. The resulting maps would have been subject to an up or down vote by the General Assembly. Legislators could not amend the maps but they could send them back to the "redistricters" with suggestions for changes.

When the proposal failed to pass in time to take effect in 2011 we supported a bill sponsored by Rep. Babette Josephs, (D-Philadelphia) that would have made the process for redrawing legislative districts open and fair. Called the Redistricting Openness and Fairness Act it would have required the Legislative Reapportionment Commission to conduct extensive public hearings before and after creating proposed maps, publish proposed maps and data used in redistricting on the internet, comply with Pennsylvania's Open Records and Open Meetings laws, and prohibited the use of voter registration and voting pattern data in drawing maps. It would have also set forth anti-gerrymandering criteria for compactness and contiguousness, and required mapmakers to justify any map that divided counties and towns. We proposed amending the bill so it would apply to congressional as well as legislative redistricting and tried to get it passed before the outcome of the 2010 elections was known. Despite bipartisan support, these reforms were blocked by the legislative leadership.

Since neither of these reforms was adopted the League and other reform organizations are encouraging those in charge of redistricting to make the process open and transparent .with expanded opportunities for public participation including posting proposed plans and other information on a dedicated legislative website and more hearings than required by law. We will also monitor compliance with open meetings and open records laws

Along with this we are reaching out to our local Leagues around the state to mount a grassroots campaign aimed at educating the public and encourage participation. Web based tools to help in understanding and participation are being developed. For more information go to the following websites:

At [www.redistrictingthenation.com](http://www.redistrictingthenation.com) you can click on District Search, enter your address and see the shape of your Congressional, State House and State Senate districts along with several measures of their compactness and how they rank compared to other districts in the same category. Philadelphia residents can go to "DrawYourOwn" to see and edit their City Council district. Anyone can go there to "get a small taste of what it is like to draw a legislative district."

At [www.publicmapping.org](http://www.publicmapping.org) find links to a wealth of redistricting resources including some specific to Pennsylvania.

The documentary movie "Gerrymandering" has recently been released and is showing around the country. Through interviews with various politicians, including California Governor Arnold Schwarzenegger, analysts and grassroots campaigners, the history of gerrymandering is explored and its potentially disastrous effect on the average voter explained. It is not yet available on DVD to the general public but you may be able to find a screening in your area and other information about the film by going to [www.gerrymanderingmovie.com](http://www.gerrymanderingmovie.com).