

Date: November 22, 2022

To: League of Women Voters of Kansas Board of Directors (or to Co-Presidents)

From: Connie Taylor, Chair, LWVK Apportionment Position Statement Committee

Subj: LWVK Apportionment Position Statement Review & Update

The LWVK Apportionment Position Statement Committee has concluded its task in revising the LWVK Apportionment Statement.

To review, the Committee's work was informed by the efforts of the LWVK People Powered Fair Maps Working Group which included:

- encouraging Kansans to complete the 2020 Decennial Census (2019-2020),
- joining 13 nonprofit, nonpartisan organizations in the Kansas Fair Maps Coalition¹ (2021-2022),
- submitting Congressional and state legislative redistricting plans to the Kansas legislature (2022), and
- providing written analysis testimony to the Kansas Supreme Court concerning the 2022 Kansas Legislative Redistricting Maps (2022).

As the Working Group transitions to the next redistricting cycle, the revised position statement can be used to:

- Launch a strategy for the 2031-32 Redistricting Cycle,
- Advocate in the state Capitol in Topeka,
- Expand partnerships with additional nonprofit, nonpartisan organizations, such as those already associated with the Kansas Fair Maps Coalition, and
- Provide a basis for written and oral testimony from LWVK leaders and members.

Therefore, the Committee submits the revised position statement and supporting documentation.

¹The Coalition conducted training sessions on the redistricting process, providing testimony, and advocating for communities of interest. In addition, the Coalition provided an online portal through which Kansans submitted written testimony to legislators and the legislative Redistricting Committees. Coalition members provided written and oral testimony to the Legislature as well as to the Kansas Supreme Court with respect to redistricting timelines, traditional guidelines, openness, transparency of the redistricting process, and fairness of new districts.

**THE LEAGUE OF WOMEN VOTERS OF KANSAS POSITION STATEMENT
ON LEGISLATIVE AND CONGRESSIONAL REDISTRICTING**

1. The League of Women Voters of Kansas believes that responsibility for legislative and congressional redistricting should be vested in an entity that is independent of the legislature. As such, the independent entity should be non-partisan, composed of individuals who reflect the diversity of the residents of the state, and guided by the principles set out in the League's Diversity, Equity, and Inclusion policy.
2. The Kansas legislative and congressional redistricting processes should be codified in law and include:
 - 2.0. A requirement that updated districts be based on the most recent, official US Census of Kansas;
 - 2.1. A description of the timeline leading to creation of districts no later than December 31 following the release of the US Census data;
 - 2.2. Provisions for a 'backup' entity, also independent of the Legislature, to complete the redistricting process if the primary independent entity fails to create updated legislative and congressional district plans.
 - 2.3. A requirement that prior to a final vote on a plan, the independent entity conduct a public hearing on that plan.
 - 2.4. A requirement that notice of any hearing on a district plan must be published at least 5 business days prior to the hearing.
 - 2.5. Requirements for redistricting activities be open and accessible to Kansans at all steps of the process.
 - 2.6. Requirements that all activities related to redistricting conform with the spirit and the letter of the open meeting and open records laws.
 - 2.7. A requirement that any redistricting plan must be adopted by the independent entity with more than a simple majority vote.
 - 2.8. A requirement for Kansas Supreme Court review of redistricting plans after adoption.
 - 2.8.1. The review must evaluate the plan against the express standards in the Kansas Constitution and statute.
 - 2.8.2. The timeline for the review must provide for remedial action to facilitate preparation for upcoming elections.
 - 2.9. A provision that Court review does not prevent residents from challenging updated districts in court.
3. The express binding legal standards for redistricting plans must:
 - 3.0. Be enforceable in court
 - 3.1. Require creation of districts that are contiguous and equal in population as required by law
 - 3.2. Require creation of districts that allow for effective representation of racial and language minorities
 - 3.3. Provide to the extent possible:
 - 3.3.1. Acceptable measures of partisan fairness and competitiveness,
 - 3.3.2. Effective representation of communities of interest, and
 - 3.3.3. Districts that encompass whole precincts, municipalities, and counties.
 - 3.3.4. Provide for development of compact districts as long as it does not conflict with the standards above.

**THE LEAGUE OF WOMEN VOTERS OF KANSAS POSITION STATEMENT
ON LEGISLATIVE AND CONGRESSIONAL REDISTRICTING**

4. Redistricting should not protect incumbents or favor one political party over others. To that end, the independent redistricting entity must be prohibited from considering the residence location of incumbents or anticipated challengers for legislative or congressional seats. Voter registration and past election results also must not be considered during development of new districts by the independent entity. Recognized statistical methods for evaluating partisan fairness of plans should be used when possible.

BACKGROUND/SUPPORTING DOCUMENTATION

INTRODUCTION

Delegates to the April 23, 2022 League of Women Voters of Kansas (LWVK) Council approved the review and update of the 1975 Legislative Apportionment Position Statement.

The Board appointed the chair of the Legislative Apportionment Position Statement Committee. Volunteers to the committee included members of the LWVK People Powered Fair Maps Working Group from each of the four Congressional districts. In addition, members of the Kansas Fair Maps Coalition participated in the process.

The Committee determined that the position statement would include an independent commission, statutory requirements for its membership, and constitutional standards for the redistricting process.

The Committee received and evaluated input suggesting a position that would support legislation codifying traditional redistricting criteria in an effort to provide courts and the independent entity with a basis for determining the validity of district plans. The Committee was instructed to change the position title from “Legislative Apportionment” to “Legislative and Congressional Redistricting.”

METHODOLOGY

The committee’s process included a review of:

- Apportionment Position Statements from all 50 state Leagues and the League of Women Voters of the United States (LWVUS)
- Case studies of states with independent commissions (Appendix A through F)
- States with independent commissions in relation to League of Women Voters state position statements (Appendix G)
- Kansas Supreme Court decisions on the 2022 State Legislative maps as well as the appeal of the 2022 Congressional map district court ruling

The committee had three options:

1. Leave the LWVK Legislative Apportionment Position Statement as is
2. Utilize the LWVUS Legislative Apportionment Position Statement
3. Incorporate lessons learned during the 2021-22 redistricting cycle into LWVUS Legislative Apportionment Position Statement

In the end, the committee decided to use the LWVUS Legislative Apportionment Position Statement as the basis for drafting an LWVK position statement, making changes as necessary based on testimony, public hearings, the Kansas Supreme Court rulings related to the 2021-22 redistricting cycle, and feedback from the Kansas Fair Maps Coalition members.

BACKGROUND/SUPPORTING DOCUMENTATION

OUR FOCUS

The committee's focus was on three aspects of the position statement:

- scope
- details to include in the process and criteria portions
- word choices

First, we looked at the type of redistricting plans that would be reflected in the position statement. We determined the LWVK position statement would apply to the Congressional and state Legislative redistricting plans. As such, local Leagues could adopt their own positions on local redistricting at the county or city level, as desired.

Second, we discussed how much detail to include in the process and criteria portions of the position statement. We tried to walk a fine line between providing enough detail that people would understand the intent while being flexible in the language to achieve collaboration and buy-in.

Third, as we reviewed each sentence, we focused on whether any words had the potential to cause confusion. We tried to choose vocabulary that was meaningful in the 2021-22 redistricting cycle and would be widely understood as the 2031-32 redistricting cycle approaches. In addition, we looked at how word choice would impact advocacy efforts and further the mission of the Kansas Fair Maps Coalition.

RATIONALE FOR SUPPORTING THE CHANGES TO THE REDISTRICTING POSITION STATEMENT

The following table summarizes the rationale and benefits of various aspects of the changes to the position statement. As LWVK and coalition partners advocate for the independent redistricting commission, the rationale below can be a useful tool to describe key attributes.

Independent entity	
	<ul style="list-style-type: none">● Eliminates self-interest as a motivation in district drawing, <i>i.e.</i>, gerrymandering● Improves public perception of fairness and respect for the legislature as an institution● Frees the legislature from the detrimental impact of district decisions on other policymaking during the redistricting session
Representation	
	An independent redistricting entity can be broadly representative of Kansas residents and composed of members from segments of the population that are not well represented among legislators.

BACKGROUND/SUPPORTING DOCUMENTATION

Standards and Criteria	
	<ul style="list-style-type: none"> ● Express, enforceable standards for districts provide courts with an objective basis for determining the validity of a plan ● Enforceable standards form the basis for holding the independent entity accountable for its decisions
Timelines	
	<ul style="list-style-type: none"> ● A timeline for the process published in advance provides transparency and opportunities for broad participation ● Creation of a 'backup' independent entity creates an orderly process and prevents "last minute" legislative or judicial intervention in the event of stalling or deadlock
Approval by Extraordinary Majority	
	Requiring more than a majority vote requires the independent entity to work toward a widely accepted solution.
Representation of Communities	
	A focus on representation of communities of interest and local subdivisions ensures engagement of voters and election of legislators who are aligned with their constituents.

CONCLUSION

The Committee concluded that the existing legislative process for redistricting does not produce fair maps. Partisanship was interjected throughout the 2021-22 redistricting process and the majority party had the upper hand in producing maps to their benefit. An independent entity has the opportunity to improve the process; however, careful consideration must be taken in how the entity is formed, who selects the members, and rules of engagement.

The proposed position statement provides a foundation to start negotiation with partners and legislators. Kansas law does not currently allow for citizen-initiated ballot referendums; thus, any measure to create an independent entity must go through the Kansas Legislature. This fundamental change may be difficult to achieve without a broad based supporting coalition. For that reason, the position is written in general terms.

The next step, once the Legislative Redistricting Position Statement is approved, is to present it to partner organizations and our legislators. Even though redistricting will not occur until the 2031-32 redistricting cycle, LWVK must begin the process now to make changes to improve the process for the future.

BACKGROUND/SUPPORTING DOCUMENTATION

APPENDIX

- A. Ohio Case Study
- B. California Case Study
- C. Virginia Case Study
- D. Arizona Case Study
- E. Michigan Case Study
- F. Colorado Case Study
- G. Memo on Analysis of League Position on Redistricting Positions



Appendix A

Ohio Case study: 2020 cycle Redistricting Process

State: Ohio

LWVK Observations: What worked/what didn't:

- Public involvement appears to have been extensive
- Partisan fairness
 - Party considerations seem to have guided Commission decisions
- Fairness to traditionally marginalized communities – difficult to determine
- Other observations
 - Position specifying a bipartisan commission may have contributed to the composition that proved non-functional this cycle.
 - Court decision to use unacceptable plan for 2022 election is problematic

Responsible entity:

- **Authority:**
 - Congressional: Legislature draws Congressional districts ([Article XIX - Congressional Redistricting](#)); Ohio Redistricting Commission acts as backup if the Legislature fails to act by Sept 30 of the year ending in 1; backup to the backup is the Legislature (if the Commission fails to act within 30 days) with provisions regarding criteria, the vote by the Legislature and a time limit on the plan's period of effectiveness
 - As of [2018 \(SJR 5\)](#), the Ohio legislature has the first opportunity to draw Ohio's congressional lines, by a 3/5 supermajority, including votes of half of each major party in each chamber. If that fails, the process falls to a seven-member backup commission, comprising the Governor, State Auditor, Secretary of State, and one commissioner chosen by each of the legislative leadership (majority and minority leader in each legislative house); plans must pass with the votes of at least two members affiliated with each major party. If the commission can't pass a plan, the state legislature may pass a congressional plan with a simple majority, as a regular statute, subject to gubernatorial veto. Maps that are passed by a 3/5 supermajority of the legislature or by bipartisan approval of the commission are valid for ten years; maps passed by normal legislation are valid for two general elections. [[Ohio Const. art. XIX, § 1](#)]
 - Legislative: Ohio Redistricting Commission draws legislative districts ([Article XI - General Assembly Redistricting](#)). Bipartisan maps are valid for ten years; lines passed with a simple partisan majority are valid only for two general elections.
- **Constitutional provision effective:** 1967; amended 2015 eff 2021; 2018 eff 2021) In [2015, HJR 12](#) amended the process for drawing state legislative lines; in [2018, SJR 5](#) amended the process for drawing congressional districts.



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

- **Creation mechanism:** Legislative referral
- **Selection process/composition of Commission:** Ohio's state legislative lines are drawn by a 7-member politician commission.

Formal redistricting criteria: Constitutional redistricting criteria apply to plans enacted by the Legislature with a simple majority vote as the second backup. Similar criteria are not specified for plans that pass the Legislature with approval of $\frac{3}{5}$ of the members of each chamber.

- OH Constitution excerpt:

Congressional redistricting:

XIX.01 Method of adopting congressional redistricting plan. . .

(C)(3) If the general assembly passes a congressional district plan under division (C)(1) of this section by a simple majority of the members of each house of the general assembly, and not by the vote described in division (C)(2) of this section, all of the following shall apply:

(a) The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents.

(b) The general assembly shall not unduly split governmental units, giving preference to keeping whole, in the order named, counties, then townships and municipal corporations.

(c) Division (B)(2) of Section 2 of this article shall not apply to the plan. The general assembly shall attempt to draw districts that are compact.

(d) The general assembly shall include in the plan an explanation of the plan's compliance with divisions (C)(3)(a) to (c) of this section.

(e) If the plan becomes law, the plan shall remain effective until two general elections for the United States house of representatives have occurred under the plan, except as provided in Section 3 of this article."

Challenges to process:

Gonidakis v. Ohio Redist. Cmm'n

United States District Court Southern District Of Ohio Eastern Division [Case number No. 2:22-cv-773](#)

Federal court lawsuit alleging an impasse between the Ohio Redistricting Commission and the Ohio Supreme Court. The Court invalidated the Commission's adopted state legislative districting plan and remanded the process to the Commission. (The state constitution prohibits a state court from drawing a new map). The Commission adopted a second districting plan that the Court likewise rejected.



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

Ohio Organizing Collaborative v. Ohio Redistricting Commission

Ohio Supreme Court, Case number No. [2021-1210](#)

State court challenge by the Ohio Organizing Collaborative, the Council on American-Islamic Relations in Ohio, and the Ohio Environmental Council alleging that the Ohio Redistricting Commission's maps (adopted on Sept. 16) violate [Article XI](#) of the state's constitution.

LWV v. Ohio Redistricting Commission

Ohio Supreme Court Case number No. [2021-1193](#)

State court challenge to state legislative redistricting plan that preserves a Republican supermajority. Because the plan was not supported by the Democratic members of the state's redistricting committee, it is only valid for four years.

2020 cycle news:

9/16/2021

The Ohio Redistricting Commission [adopted](#) new maps for state legislative districts that preserve a Republican supermajority in both chambers. The plan is valid for just four years.

9/24/2021

The ACLU and League of Women Voters of Ohio filed a [lawsuit](#) in the Ohio Supreme Court challenging the state legislative districts adopted by the Ohio Redistricting Commission on Sept. 16.

9/27/2021

The Ohio Organizing Collaborative, Ohio chapter of the Council on American-Islamic Relations, Ohio Environmental Council and six Ohioans [filed a lawsuit](#) against the Ohio Redistricting Commission

9/30/2021

The Ohio Organizing Collaborative, Ohio chapter of the Council on American-Islamic Relations, Ohio Environmental Council and six Ohioans [filed a lawsuit](#) against the Ohio Redistricting Commission

10/7/2021



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

The Ohio Supreme Court [rules](#) that the Plaintiffs in three pending redistricting lawsuits will be allowed to question Gov. Mike DeWine, Senate President Matt Huffman and the other members of the Ohio Redistricting Commission.

11/1/2021

Ohio's bipartisan backup commission [failed](#) to approve (or to even propose) a new congressional districting plan by Oct. 31 deadline. Authority now shifts to the state legislature, which must approve new maps by Nov. 30.

11/16/2021

The Ohio Senate approved new congressional districts on a party-line vote. If enacted, the new districts would only be valid for the 2022 and 2024 elections, after which the Legislature would need to approve a new map.

11/18/2021

The Ohio state House [approved](#) new congressional districts ([SB 238](#)) on a largely party-line vote. Four Republicans joined every Democrat in opposing the bill, meaning new districts will need to be approved in 2025. The new map now awaits Gov. DeWine's signature.

11/22/2021

The National Redistricting Action Fund (backed by former Attorney General Eric Holder) has [challenged](#) Ohio's congressional map in the state supreme court for violating Article XIX of the state's constitution. The challengers allege that the new districts are a partisan gerrymander in violation of [Article XIX § 1\(C\)\(3\)\(a\)](#) of the state's constitution, which prohibits the state legislature from adopting a map that "unduly favors or disfavors a political party or its incumbents."

12/3/2021

The Ohio Supreme Court published an [order](#) dismissing a legal [challenge](#) against members of the state's redistricting commission in their official capacity. The case will continue against the same individuals in their capacity as political leaders of the state.

2/17/22 The Ohio Redistricting Commission [failed](#) to approve new state legislative districts for a second time. The process now shifts to the state Supreme Court, although the state constitution prohibits the Court from drawing new maps itself.

5/12/2022 [Timeline](#) of Ohio redistricting – "An Ohio redistricting process that began in August 2021 to draw new state legislative district maps has seen many twists and turns that eventually entangled all three branches of government."



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

6/6/2022 Republicans on the panel charged with drawing new House and Senate district maps [said](#) they will ignore an order from the Ohio Supreme Court to produce a sixth attempt at new maps by Monday.

6/18/2022 – Where Commissions Worked and Where They Didn’t [\(CNN\)](#) – “The latest round of legislative map-drawing, produced from 2020 census data, featured the input of commissions in more than a dozen states, with the use of commissions expanding since the previous decennial cycle. A 2019 Supreme Court decision that said federal courts could not police extreme gerrymanders made such commissions a critical tool for voter advocates.”

Aug 17, 2022 – The Ohio Supreme Court announced that it would not hold state legislators who sit on the Redistricting Commission in contempt for ignoring the court's order to draw new congressional districts.

9/2/2022 Flaws in the Ohio Process – [Reflection](#) One Year Later – “One year, five legislative map proposals, and two congressional redraws later, the state will hold a general election in November with maps that have been ruled unconstitutional by the Ohio Supreme Court.”

2020 cycle analysis:

OH League position/involvement:

[Position on Apportionment/Districting](#) (Adopted January 1980, amended May 2005)

LWVO supports an impartial districting process that may include, but is not limited to:

- Districting for Congress and state legislature based substantially on population equality with a variance of no more than plus or minus 5 percent among districts.
- Use of a bipartisan commission comprised of an odd number of members to determine congressional and state legislative district lines.
- Congressional and state legislative districts that are compact, contiguous, bounded by a non- intersecting line and follow local political boundaries as much as possible.
- No more than 99 House districts and 33 Senate districts within the Ohio legislature.

(The position also addresses local redistricting, not included here.)

History of League involvement and Background: Apportionment/Districting

In the 1970s, LWVO Convention adopted a not-recommended study, “Evaluation of alternative standards and methods of districting for the state legislature, in preparation for action before



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

1981,” which resulted in the positions we have today. In the 1980s, LWVO supported the Fair And Impartial Redistricting (F.A.I.R.) Amendment petition effort. The F.A.I.R. Amendment went before the voters but was defeated.

Ohio’s Congressional representation was reduced from 21 to 19 after the 1990 census. The state legislative districting plan, adopted by the Republican-controlled Apportionment Board in 1992, was challenged by the Democrats, and counter-suits were filed. Both the General Assembly and the congressional delegation were elected according to the new districts.

In August 1995, a U.S. District Court ordered that eight Ohio state legislative districts be redrawn by November 1, 1995. Those districts had been drawn to be “packed” with African-Americans, but the court found that the Apportionment Board “lacked a compelling state interest for its racial gerrymandering,” and concluded that the “House districts violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.” The case was appealed to the U.S. Supreme Court, which said the district court had used an incorrect legal standard, and remanded the case to the district court. In August 1997, the district court held that the districts were drawn constitutionally.

In the fall of 1998, before the general election that elected members of the Apportionment Board, League began an initiative petition drive to submit its nonpartisan, mathematical districting plan to the voters. As our petition drive picked up steam, the Republican legislative leadership approached us in the summer of 1999 about pursuing a legislative solution to change the districting process. Their plan, HJR 13, was introduced in January 2000. While substantially identical to the League’s initiative, there was one major difference: the effective date of the change would have been 2011 rather than 2001. Both League’s drive and HJR 13 failed. The new districts were adopted along party lines in the fall of 2001. Ohio lost another Congressional representative after the 2000 census, down to 18. Both the Congressional and state legislative districts were determined by the same partisan methods in 2001.

The 2005 Convention dropped the requirement for a nondiscretionary districting process, but left the primary criteria in place.

In 2005, pursuant to an initiative petition, the general election ballot included a proposed amendment to use an objective formula for drawing districts. The formula maximized the competitiveness of districts and used compactness only as a secondary criterion. It required an open process and members of the public could submit plans. LWVO endorsed the initiative but it was defeated by the voters.

In 2009 LWVO and others conducted the Ohio Redistricting Competition. The goal was to show that an open process involving the public and based on objective, measurable criteria can produce fair Congressional districts in Ohio. The maps were judged on four criteria: competitiveness, compactness, representational fairness and respect for political subdivisions.



Appendix A - Ohio Case study: 2020 cycle Redistricting Process

All competition participants produced maps that were superior to the map drawn by the General Assembly in 2001.

In September 2009, the Ohio Senate passed a redistricting reform measure and in May 2010, the Ohio House passed its own measure that was based in part on the criteria of the Ohio Redistricting Competition. However, the House and Senate were not able to reach a compromise before the November 2010 general election.

Ohio lost two Congressional representatives after the 2010 census, down to 16. In 2011 the League and others again sponsored a public competition to draw districts, based on 2010 census data. Both the Congressional and state legislative districts were determined by the same partisan methods used in 2001. All of the maps submitted in the competition were superior on public interest criteria to those adopted by the Apportionment Board and General Assembly. The General Assembly maps were challenged in the Ohio Supreme Court, but they were upheld.

In 2012, the League was a member of the Voters First Ohio coalition that placed a proposed amendment on the ballot. The amendment would have provided for a citizens' commission drawing districts based on the four public interest criteria used in the competitions. The measure lost 37% to 63%.

In 2014 the legislature placed an issue on the 2015 ballot to create the Ohio Redistricting Commission and give them authority to draw districts for the General Assembly seats. The Commission consists of 7 members, two of which must be from the minority party. Two votes from each party are necessary to approve a plan. Otherwise a temporary plan is put in place by a simple majority of the commissioners. Districts should be drawn which do not primarily favor a single political party. Plans must also keep communities together by splitting as few counties, municipal corporations, and townships as possible. The ballot issue passed by 71% of the vote.

In 2017, the League along with Common Cause Ohio and the Ohio Environmental Council created Fair Districts Ohio. Fair Districts began collecting signatures in May of 2017 to place congressional redistricting reform amendment on the ballot. Sensing that this redistricting reform would go on the ballot, the legislature put forth its own reform amendment for the May, 2018 ballot. The LWVO supported this amendment Congressional redistricting which was similar to the issue passed in 2015 for the General Assembly. The ballot issue passed by 75% of the vote.

OH League has been involved in challenging the work of the Commission in the 2022 cycle.

- See opinion in [*LEAGUE OF WOMEN VOTERS OF OHIO ET AL. v. OHIO REDISTRICTING COMMISSION ET AL.*](#)



Appendix B

California Case study: 2020 cycle Redistricting Process

State: California

LWVK Observations: What worked/what didn't:

- **Public involvement:** Broad coalition support and \$\$ for petition to get independent commission on the ballot. During the redistricting cycle 2020, the commission held public meetings where the community could voice their opinions about their districts.

Responsible entity: Independent commission with approval from the legislature and signed by the governor.

Authority: [Cal. Const. Art. 21](#)

Constitutional provision effective: Passed. Nov. 4, 2008. Effective for the 2010 redistricting cycle.

- **Creation mechanism:** Prop 11 Ballot initiative
- **Selection process/composition of Commission:** 14 members. 5 registered from each major party (by size) and 4 who are not registered to a party. Not changing political party for 5 years prior. Also needs to vote in two consecutive state elections. Apply to become a commissioner. First 8 members randomly selected by legislature. First 8 select last 6.
- **Noteworthy information:** Legislature needs to provide adequate funding to defend action on a map.
- **Formal redistricting criteria:** Comply with VRA of 1971. Contiguous. Equal population. Geographic integrity minimizes division. Defines what a Community of interest is. "A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates". Compactness - so long as it doesn't conflict with above criteria. Incumbent home address shall not be considered. Number sequencing discussion. Petition by secretary



Appendix B - California Case study: 2020 cycle Redistricting Process

of state to CA Supreme Court if maps aren't done. Any challenges to any maps goes to CA Supreme Court.

Challenges to process:

No legal challenges to 2022 maps.

2020 cycle news:

New York Times ([NY Times; March 2, 2022](#)) and Public Policy Institute of California blog ([PPIC; April 2022](#)) discussed the potential for a shift in political power. The PPIC article mentions competitiveness at the state legislature would be in decline and shift the focus to the Congressional race. Both discuss the decline of the incumbent considering the numbers of those who chose not to seek re-election.

Nonprofit news ([California Matters; Jan. 19, 2022](#)) includes information on how technology including social media entered the process. Easier for advocacy groups to submit maps. Commission - live line drawing. Late nights/public testimony. Previous article ([California Matters; Dec. 21, 2021](#)) allegations of secret meetings and studies.

Fresno ([Fresno Bee; May 23, 2022](#)) is the site of political crossroads with Congressional redistricting as one particular intersection shares a common boundary for three districts. Article mentions how cities can be split to the point the majority of the city, in this case, Fresno) isn't in the majority in 2 of 3 districts. Fresno didn't have a voice in the process due to its own political infighting.

Public Broadcasting ([KQED; May 2, 2022](#)) describes how public testimony led to a Congressional district for a community.

2020 cycle analysis:

Articles focused on five fronts: 1) the court's involvement in the process concerning any delays in the commission putting together 2) the public discourse about cost overruns that include staff from the independent commission 3) map drawing process begins on a blank slate, which may be difficult to retain a "core" of the current district 4) CA Supreme Court via peremptory writ of mandate in CA legislature extended the deadline to Dec. 15, 2021 due to delay of census data from COVID-19. 5) shift in political power

CA League position/involvement:

LWVCalifornia uses the LWV-US position statement on its website.

LWVCalifornia was part of the coalition to get the initiative on the ballot.



Appendix B - California Case study: 2020 cycle Redistricting Process

LWVCalifornia has provided letters of support to how various counties conduct redistricting via Citizens Redistricting Commission as well as support for public participation. LWVCalifornia was also in support of the deadline extension to Dec. 15, 2021.



Appendix D

Arizona Case study: 2020 cycle Redistricting Process

State: Arizona

LWVK Observations: What worked/what didn't:

- **Public involvement:**
 - [AZ Redistricting Hub \(arcgis.com\)](https://arcgis.com)
 - [Newsroom | Independent Redistricting Commission \(az.gov\)](https://www.az.gov/newsroom/independent-redistricting-commission) - announcements of numerous public meetings and newsletters – examples of concerted effort to communicate with the public
 - [Public Meetings | Independent Redistricting Commission \(az.gov\)](https://www.az.gov/public-meetings/independent-redistricting-commission) – Schedule of public meetings and links to related documents – good availability for public involvement (not clear how timely the information was posted to the site)
 - Note concerns in the article cited below about nearly exclusive use of online outreach and public education tools by the IRC being a particular problem for tribal members who live in remote areas with poor connectivity.
- Partisan fairness
- Fairness to traditionally marginalized communities
- Other observations

Responsible entity: [Arizona Independent Redistricting Commission](https://www.az.gov/independent-redistricting-commission) (Legislative and Congressional districts)

- **Authority:** [Ariz. Const. art. 4, pt. 2, § 1](#)
- **Constitutional provision effective:** 2000
- **Creation mechanism:** citizen initiative
- **Selection process/composition of Commission:** The Commission on Appellate Court Appointments creates a pool of 25 nominees, ten from each of the two largest parties and five not from either of the two largest parties. The highest ranking officer of the house appoints one from the pool, then the minority leader of the house appoints one, then the highest ranking officer of the senate appoints one, then the minority leader of the senate appoints one. These four appoint a fifth from the pool, not a member of any party already represented on the commission, as chair. If the four deadlock, the Commission on Appellate Court Appointments appoints the chair.

Formal redistricting criteria: The Redistricting Commission redraws the boundaries for Arizona's legislative districts and Congressional Districts in a grid-like pattern across the state, in order to meet specific goals.

- AZ Constitution excerpt:

(14) The independent redistricting commission shall establish congressional and legislative districts. The commencement of the mapping process for both the



Appendix D - Arizona Case study: 2020 cycle Redistricting Process

congressional and legislative districts shall be the **creation of districts of equal population in a grid-like pattern across the state**. Adjustments to the grid shall then be made as necessary to accommodate the goals as set forth below:

- A. Districts shall comply with the United States Constitution and the United States voting rights act;
- B. Congressional districts shall have equal population to the extent practicable, and state legislative districts shall have equal population to the extent practicable;
- C. Districts shall be geographically compact and contiguous to the extent practicable;
- D. District boundaries shall respect communities of interest to the extent practicable;
- E. To the extent practicable, district lines shall use **visible geographic features, city, town and county boundaries, and undivided census tracts**;
- F. To the extent practicable, **competitive districts** should be favored where to do so would create no significant detriment to the other goals.

(15) **Party registration and voting history data shall be excluded** from the initial phase of the mapping process but may be used to test maps for compliance with the above goals. The places of residence of incumbents or candidates shall not be identified or considered.

(16) The independent redistricting commission shall advertise a draft map of congressional districts and a draft map of legislative districts to the public for comment, **which comment shall be taken for at least thirty days**. Either or both bodies of the legislature may act within this period to make recommendations to the independent redistricting commission by memorial or by minority report, which recommendations shall be considered by the independent redistricting commission. The independent redistricting commission shall then establish final district boundaries. (Emphasis added)

Challenges to process:

The 2011 IRC faced lawsuits challenging its authority and actions. The IRC won every case.

(Source: [LWVAZ](#))

Challenge	Challenger	Court	Result
Constitutionality of IRC	AZ State Legislature	US Supreme Court	IRC upheld (2015)



Appendix D - Arizona Case study: 2020 cycle Redistricting Process

Challenge	Challenger	Court	Result
2015 challenge that commission violates US Const Elections Clause ¹			
IRC Chair impeached	Gov Jan Brewer and AZ Legislature	AZ Supreme Court	IRC upheld (2012)
Open Meetings Law violation	AG Tom Horne	AZ Court of Appeals	IRC upheld (2012)
Legislative Map	Republican Voters (Harris, et al)	US Supreme Court	IRC upheld (2012)
Congressional map	Republican Voters	Maricopa County Superior Court	IRC upheld (2017)

2020 cycle news:

- **The Hill** – Dec 22, 2021– “In November, lawmakers in the GOP-controlled state Senate voted 21-6 to approve Gov. Jan Brewer’s (R-Ariz.) decision to boot Colleen Mathis, who chaired the redistricting commission, for what Brewer alleged was ‘substantial neglect of duty or gross misconduct in office.’ “

2020 cycle analysis:

- **AZ Mirror**– Jan 21, 2022– Article describes the final meeting of the Independent Redistricting Commission as it worked on the legislative district plan. The plan was approved despite a partisan split in the Commission.
 - “In one last split vote, the Arizona Independent Redistricting Commission certified the new legislative map on a 3-2 vote on Friday, with the two Democratic members dissenting.” The article describes partisan accusations made by members and the chair. “Mehl and fellow Republican Doug York were also on

¹ A summary of the case and various related documents may be accessed at the Brennan Center [website](#).



their phones constantly during the meetings and frequently had phone conversations during breaks, Lerner said, accusing them of communicating with state and national Republican figures. And Neuberg, she said, regularly conferred with Executive Director Brian Schmitt, a former chief of staff to a Republican member of the Phoenix City Council and who aided GOP U.S. Sen. Martha McSally's 2020 campaign."

- **AZ Mirror**– Feb 4, 2022 (opinion piece) – Article focuses on Latino representation in the new districts, mentions the demise of Section 5 of the Voting Rights Act and the perceived undercount of Latino residents as contributing factors to underrepresentation of the community in new districts.
 - "There is no 10th congressional district. And after months of haggling and finger-pointing, Arizona's Independent Redistricting Commission has drawn up maps that fail to carve out any new predominantly Latino state legislative districts.
 - If you ask Pete Rios, a sage of Arizona politics, the state's Hispanic electorate fared poorly in the latest redistricting process. Rios is a former state Senate president, and the only Latino to ever serve in that post. He also recently served as a Pinal County supervisor.
 - "The redistricting process was clearly tilted in favor of the Republicans," said Rios, who put the blame for that squarely on Erika Neuberg, the commission's chair. "Neuberg was a lifelong Republican, who only switched parties and turned independent a couple of years ago. She showed her true colors." "
 - "In the end, the Latino Coalition [for Fair Redistricting] failed to get the commission to draw an eighth majority-Latino legislative district, though its pressure almost certainly ensured Latino voters wouldn't lose serious ground as a result of the commission's work."
 - "Senate Minority Leader Rebecca Rios, a Phoenix Democrat and Pete Rios' daughter, said the "Republicans are taking victory laps" as a result of the redistricting process, though she noted the outcome would likely have been much worse had it been left to the Republican-controlled state Legislature to redraw the maps."
- **AZ Mirror**– Dec 31, 2021– Article talks about partisan fairness and the expectations created by creation of the Independent Redistricting Commission.
 - "[The Cook Political Report](#) predicts the makeup of Arizona's congressional delegation could widen today's 5-4 split to 6-3 in favor of the Republicans after the November midterm elections in 2022. In the Legislature, Republicans have a strong shot at maintaining control of the House and Senate. The AIRC's final map carves out '[13 safe Republican districts, 12 safe Democratic districts and five competitive districts](#) ... Of those five competitive districts, four lean Republican and one leans Democratic.' "
 - "The irony is that while the work of Arizona's redistricting commission, unlike the process in Republican-led states like Texas and Ohio, was basically an exercise in how democracy is supposed to work, the ultimate effect of this year's process



Appendix D - Arizona Case study: 2020 cycle Redistricting Process

— barring any serious court challenges — is that it's likely to contribute to the momentum of the GOP's growing determination to unravel our democracy.”

- **AZ Mirror**– Dec 15, 2021– Article details how the commission map has been judged by tribal leaders to dilute the influence of the tribes in primaries and in general elections. In some cases the observers pointed to inclusion of very rural tribal areas in districts extending to cities such as Flagstaff.
 - “With no real public education campaign in place to let Arizonans know even the basics of redistricting, the work of educating voters about the once-a-decade process of redrawing Arizona’s political boundaries fell to advocacy groups.

And for groups that work in Arizona’s rural Native American communities, that work was even harder. **The Arizona Independent Redistricting Commission’s outreach efforts and work has been done almost entirely online**, making it largely inaccessible to many who live on tribal lands, where large swaths of the state lack access to high-speed internet.

“We were like, we just have to get people out there to do it, because no one else is going to do it,” said [Navajo County Democrats](#) Executive Director Jaynie Parrish.” (emphasis added; links in original)

- “The Arizona Independent Redistricting Commission’s draft maps for both the state’s 30 legislative districts and nine congressional districts — which will be used for the next decade — weaken the influence that Native American voters will have on who gets elected.”
- “And on the legislative map, the proposed District 6 wraps the Navajo and Hopi nations into a district with Flagstaff. That’s a departure from the current map, which separated Flagstaff from tribal lands and instead linked the largely white, liberal city with Payson in a marginally competitive district.

The results in both cases will curtail the ability of Indigenous voters to choose who will represent them, critics say.

‘Don’t diminish the Native American voting bloc. Don’t lessen our power. Don’t break up the tribes,’ Parrish said. “There’s already a lot of voter apathy. If these maps go through as they are, it’s just going to promote more of that, because people are not going to believe that their vote counts or that it matters.’ “

AZ League position/involvement post 2000:

- For the 2020 round of redistricting the League appeared to use its website to encourage the public to participate in the Commission’s process and used member “Calls to Action” to “advocate for fair and independent redistricting.”
- The AZ League participated in the PPFM from 2019 to 2022.



Appendix D - Arizona Case study: 2020 cycle Redistricting Process

- **LEAGUE OF WOMEN VOTERS OF ARIZONA PEOPLE POWERED FAIR MAPS**

The League of Women Voters of Arizona (LWVAZ) People Powered Fair Maps (PPFM) Program, 2019-2022. PPFM is the umbrella term applied to the League's activities to promote drawing fair and independent maps. Programs were presented for our members and the public in 2020 about the census ([LWVAZ Town Hall: Census 2020, Complete County Committees and Redistricting in Arizona, May 23, 2020](#)); the 2011 redistricting commission ([LWVAZ: Redistricting in Arizona, June 20, 2020](#)); and legal issues surrounding fair maps ([LWVAZ Town Hall: How Partisan Gerrymandering Destroys Democracy, Sept. 12, 2020](#)).

In 2021 the League held a webinar with Chair Erika Neuberg and Executive Director Brian Schmitt ([LWVAZ: A Conversation with IRC Chair Dr. Erika Neuberg, June 29, 2021](#)).

Follow the links to recordings of the programs. In 2021 the League is monitoring and commenting on the IRC meetings and decisions, providing training in how to testify and other educational opportunities, and encouraging the public to attend and comment at the meetings. Our objective is to ensure a fair and independent redistricting process.



Appendix C

Virginia Case study: 2020 cycle Redistricting Process

State: Virginia

LWVK Observations: What worked/what didn't:

- Public had the opportunity to provide input to the commission via public meetings and hearings.
 - [Virginia Redistricting Commission](#) - Schedule of public meetings, hearings and links to related documents, recordings – good availability for public involvement
- The Constitutional amendment did not ensure diversity on the Commission. However, the retired judges selecting citizen seats did strive for diversity.
- Citizens were interested in being on the Commission, over [1200 applicants](#).
- Legislative leaders selected the citizen members.
- Redistricting criteria was detailed, written well and criteria was prioritized.
- Commission initially drew maps from scratch but then accepted maps from the Democrats and Republicans.
- The Redistricting Commission failed to approve any maps prior to the deadline; the VA Supreme Court had to draw the maps.
- The Commission had resignations while the process was underway. A citizen member resigned six months into the process; and a legislative member resigned almost two months before the maps needed to be approved. Three more legislative leaders resigned from the Commission after it failed to meet the deadline. See the news [webpage](#).
- Supreme Court maps considered fair per founder of Princeton Gerrymandering Project ([article](#)).
- Redistricting process worked because it produced fair maps. Commission gridlock was due to partisanship.
- Only the Virginia legislature may refer amendments to the ballot. There is no initiative or referendum process.

Responsible entity: [Virginia Redistricting Commission](#) (Legislative and Congressional districts)

- **Authority:** [Va. Const. art. II, § 6-A and Va Code Tit. 30, ch. 62](#)
- **Constitutional provision effective:** 2020
- **Creation mechanism:** Legislative referral
- **Selection process/composition of Commission:**
Majority and minority leaders of both houses of the legislature each select two members of their caucuses to serve on commission. Separately, a panel of retired judges reviews applications from members of the public to serve as a citizen



Appendix C - Virginia Case study: 2020 cycle Redistricting Process

commissioner. The judges will submit the names of applicants who meet qualifications

to the legislative leaders, who select 16 names for the retired judges from each caucus (Senate Majority, Senate Minority, House Majority, House Minority). The retired judges then select two citizen members from each leader's slate of 16. The chair of the committee must be one of the citizen members of the redistricting commission, and is selected by a full vote of the committee.

- **Formal redistricting process:** The congressional and state legislative lines are drawn by a politician commission, in conversation with the state legislature. Any district plan must receive support from 6 of the 8 legislative commissioners and 6 of the 8 citizen commissioners. The plan for a state legislative chamber must also receive support from 3 of the 4 legislators from that chamber. The commission's plans are presented to the legislature (the state legislative plans as a single bill), and must be approved or rejected, without amendments (and not subject to gubernatorial veto). If the plan is rejected, the commission must submit a new plan, to be voted up or down without amendments (and not subject to veto). If the commission fails to submit a plan, or if the legislature rejects two consecutive plans, the districts will be drawn by the Virginia Supreme Court. Overview [here](#).
- [VA 2021 Redistricting Guidelines and Criteria](#)

Summary: The guidelines (link above) list each criteria in order of priority including population equality, voting rights and political participation, communities of interest, and political neutrality. Compliance with federal laws and US Constitution is expected and the Commission may review political data and incumbent addresses as part of the drafting process.

Virginia [reallocates incarcerated individuals](#) so they are counted at their last known address if it is within the Commonwealth. If the home address is not within the Commonwealth or is unknown, the individual is counted where the prison is.

Challenges to process:

There were no lawsuits specific to Commission actions; however, the following lawsuits were filed related to counting of prisoners, timing of the 2021 election in relation to the formation of the Commission, and wording on the ballot initiative.



Appendix C - Virginia Case study: 2020 cycle Redistricting Process

Challenge	Challenger	Court	Result
Counting of prisoners at last known address	Atkins et al., mandamus petition	VA Supreme Court	Case dismissed
2021 House of Delegate elections before new districts drawn	Paul Goldman (political activist & ran for Lt. Governor)	Federal Lawsuit	Pending
State court rejected challenge to ballot summary for legislative redistricting	Paul Goldman (political activist & ran for Lt. Governor)	VA Supreme Court	Case dismissed

There were also lawsuits in 2013 and 2015, prior to the Commission, that challenged the Congressional map. See [Ballotpedia](#) “Legal Challenges” section for more info. Cases were not included above because they are not related to what happened after the Commission was implemented.

2020 cycle news:

- [Virginia Mercury](#) – Sep 15, 2021– Article documents the Commission’s unanimous vote to instruct map drawers to ignore political data and incumbent addresses; preserving communities of interest; boundaries of cities, towns and counties; and no additional guidance on racial considerations.
- [Associated Press](#) - Oct 8, 2021 - Negotiations Break Down at Virginia Redistricting Commission
 - “The meeting ended after Democratic citizen co-chair Greta Harris said she was removing herself from the commission and left. The impasse comes just two days before the commission is supposed to turn in maps for Virginia’s state House and Senate districts.”
 - “A number of other members followed Harris out of the room, effectively ending the meeting because it lacked a quorum.”
 - “Commission members appear to have found zero bipartisan consensus after scrutinizing scores of squiggles on multitudes of maps.”
 - “The commission was still working off two sets of maps: one drawn by a Republican map drawer and one drawn by Democrats. Commission members eventually took two votes on which map or maps to use as a starting point. The hope was that they would then begin to hash out their differences over a handle of districts. But each proposal, one made by a Republican and another by a Democrat, failed 8 to 8 along party lines.”
- [AP News](#) - Mar 21, 2022 - NAACP asks to join lawsuit re: special election given the election was using the old districts.



Appendix C - Virginia Case study: 2020 cycle Redistricting Process



2020 cycle analysis:

- [The Washington Post](#) – Jan 13, 2022 (opinion piece) – Article describes why founder of Princeton Gerrymandering Project thinks Virginia maps are among the fairest maps and that the redistricting process worked.
 - “Both the congressional and House of Delegates maps received “A” grades overall, and the state Senate map received a “B.”
 - “The final maps did not unduly favor one party, contained considerable levels of competition and built districts that represent communities of interest and racial groups across the commonwealth.”
- [Democracy Docket](#) - Oct 28, 2021 - An article describing challenges the Virginia Commission experienced.
 - “Couldn’t agree on hiring a single outside counsel”
 - “Deadlocked on a proposal to hire a nonpartisan University of Richmond data specialists”
 - “Struggled to find a way to merge the separate proposals”
 - “Race was also a sticking point, as the Democratic and Republican lawyers gave conflicting advice and the commissioners disagreed on the creation of “opportunity districts””
 - “commentators have identified two fatal flaws: being bipartisan rather than independent and lacking a tie-breaking mechanism in case of a stalemate.”
- [UVA Today](#) – Dec 16, 2021 (opinion piece) – Q&A: BREAKING DOWN VIRGINIA’S FRAUGHT REDISTRICTING PROCESS
- [Washington Post](#) - Jan 2, 2022 - New voting maps, and a new day, for Virginia
 - “Nearly half of sitting state senators and delegates have been doubled or tripled up in redrawn districts.”
 - “They are fairer to voters, and to the ideals of representative democracy, than any conceivable competing plan that might have been drawn by lawmakers themselves.”
 - “..made significant edits to their initial effort, earlier in December, in response to public input.”
 - “One reason for employing redistricting commissions,” the special masters wrote in their memo, “is to minimize the power of politicians over the drawing of lines.”
- [Greene County Record](#) - Jan 15, 2022 (editorial) - Virginia redistricting put voters ahead of politicians
 - “There are wails and moans from the blue and the red, especially among the political class, but what evolved is so much better than what we have now, and so much better than many critics expected, that there’s little room to carp.”
 - “The commission was a complete failure. Partisanship ruled the day, and the drawing of new maps was thrown to the Virginia Supreme Court.”
 - “What evolved are maps that offer more competitive districts in congressional and state races.”



VA League position/involvement post 2000:

From League [website](#) (see p. 8):

Reapportionment and redistricting are an integral part of our system of representative government. As a result of the problems encountered in the reapportionment and redistricting process in Virginia in 1981, the League adopted a study at its convention in 1983 on the methods and criteria for redistricting. Members agreed that a reapportionment commission should be established to prepare a plan for legislative approval because such a commission could be objective, devote its full attention to the task, and expedite the redistricting process. The criterion of competitiveness was added in 2007 after an update to this position was adopted as a two year study at LWV-VA convention in 2005.

The League's Position - The League of Women Voters of Virginia supports the establishment, in law, of a politically balanced and independent Reapportionment Commission for each decennial redistricting to prepare, with the Virginia - 7- LWV-VA Positioned For Action, Spring, 2019 Department of Legislative Services, a plan for submission to the legislature as specified by the Virginia Constitution. The Commission should be bi-partisan and be composed of individuals who are not elected officials; they should represent the geographical distribution and demographic diversity of the state and consist of an uneven number of members. In addition to the Virginia constitutional requirement of equal population, contiguous and compact districts and the Voting Rights Act requirements for protecting the voting strength of minority groups, the League supports the following considerations in redistricting:

- Natural geographic boundaries;
- Jurisdictional boundaries;
- Communities of interest; and
- Competitiveness

The League believes that the Virginia constitution should be amended to provide that redistricting will occur on a decennial basis only. (1985, 2007)

The VA League participated in the PPFM from 2019 to 2022. This [blog](#) indicates the LWV of Virginia were active in getting the constitutional amendment passed as well as being observers of the new redistricting process.

The LWV of Virginia's website has a presentation dating back to 2006 re: "[Does Your Vote Really Count?](#)". It also has links to other sites about redistricting including the National League's research paper from 2005 on [Building a National Redistricting Reform Movement](#).



Appendix E

Michigan Case study: 2020 Cycle Redistricting Process

State: Michigan

LWVK Observations: What worked/what didn't:

- **Public involvement**

In addition to an online application portal, and a constitutionally required mailing of 250,000 applications to Michigan registered voters selected at random, the Department of State made applications available in several languages.

- [Download a PDF application \(English\)](#)
- [Download a PDF application \(Spanish\)](#)
- [Download a PDF application \(Arabic\)](#)
- [Download a PDF application \(Bangla\)](#)

An application period of 9 months was allowed for applications to be submitted, and over 6,000 were received by the Department of State.

From July through August 2019, the Department of State opened public comment on the draft application and eligibility guidelines for applicants.

From February 26 through March 27, 2020, the Department of State opened public comment on the random selection methodology used to select 200 semifinalists in June 2020.

In the first year administering the Michigan Independent Citizens Redistricting Commission Process, the Department of State periodically opened an optional public comment period to solicit feedback from the public. [Chronological list of all public comments received in 2019-2020](#)

Authority: Article IV, Section 6 of the Michigan Constitution, as amended by Proposal 2018-2 (referred to as the “Voters Not Politicians” ballot initiative)

Constitutional provision effective: The constitutional amendment set out above was submitted to, and approved by, the electors as Proposal 18-2 at the November 6, 2018 general election. This amendment to the Constitution of Michigan of 1963 became effective December 22, 2018.

Responsible Entity: [Michigan Independent Citizens Redistricting Commission](#). Commissioners receive compensation; the Michigan Secretary of State serves as the Commission’s secretary without vote).

Selection process/composition of Commission: [Article IV, Section \(6\)\(1\)](#) defines the eligibility requirements for Michigan citizens to serve on the Commission as well as the duties, schedule and other guidelines which the Commissioners are to follow . The Commission is to be made up of 13 Commissioners – 4 Democrats, 4 Republicans, and 5 who do not affiliate with either major political party.



Appendix F

Colorado Case Study: 2020 Cycle Redistricting Process

State: Colorado

LWVK Observations:

[Colorado Independent Redistricting Commissions](#)

In 2018, Colorado voters approved Amendments Y and Z, which transferred the responsibility for redrawing congressional and legislative districts from the Colorado legislature and the Reapportionment Commission to newly created independent commissions. Colorado is one of the first states to conduct redistricting in this way. We hope to be a model in the redistricting process.

The commissioners are a group of volunteers who applied and were selected through a process of judicial review and random draw. Each commission - legislative and congressional - is comprised of four Democrats, four Republicans, and four unaffiliated voters. Each commission includes at least one member residing in each current congressional district and at least one member from the Western Slope. Each commission must, to the extent possible, reflect Colorado's racial, ethnic, gender, and geographic diversity.

The [American Redistricting Project](#) created this detailed description of the Colorado redistricting process.

[Voters push to take local redistricting from politicians \(pressdemocrat.com\)](#)



Memo

To: LWVK

From: Troy Spain

Appendix G - Analysis of League Positions on Redistricting Positions

Upon review of the data provided and research into how other state Leagues have written these statements it is my view that the majority track closely to the national League statement's core. The numbers in states without independent commissions align in most areas and the variances were not statistically significant. The differences themselves may prove useful and illuminating and are listed below.

Partisan Fairness (inclusion of data but making it fair) vs Partisan Blindness (information not used in mapping)

Timelines for map production being Process Oriented (step by step) vs Deadline (final date being moved up)

Commission of Volunteers (Self-nominated) vs Commission of Appointees (usually appointed by legislature and divided equally among political parties)

Mandatory Court Review vs Judicial Review if Challenged

Focus on Compactness or squareness vs Community of Interest or Historical Priority

Legislative Authority for Approval of maps vs Independent Commission Authority

State (legislature) Funded vs Independent (set) funding

Public Comment Timing; specifically frequency and timing of such. Before map drawing, after first round maps are completed, before legislative review, before judicial review. Etc.

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