

**RESOLUTION NO. 2018-03
BOROUGH OF COLLEGEVILLE
MONTGOMERY COUNTY, PA**

**A RESOLUTION IN SUPPORT OF A CITIZENS COMMISSION FOR LEGISLATIVE
AND CONGRESSIONAL REDISTRICTING**

WHEREAS, the citizens of the Borough of Collegeville and the Commonwealth of Pennsylvania deserve a fair, fully transparent, impartial and depoliticized process of the decennial drawing of state legislature and congressional districts of near equal population; and

WHEREAS, legislative and congressional redistricting has at times resulted in gerrymandered districts that favor one political party over others; and

WHEREAS, such gerrymandering of legislative and congressional districts has worked at times to the detriment of our representative democracy; and

WHEREAS, the creation of a truly independent citizens redistricting commission devoid of political motivation or partisanship will: ensure a fair, transparent, and accurate legislative and congressional redistricting process that respects political subdivisions; prohibit districts from being drawn to favor or discriminate against a political party or candidate; require the use of impartial and sound methodology when setting district boundaries; require public input; and fully comply with the constitutional requirement that “no county, city, incorporated town, borough, township or ward” be divided “unless absolutely necessary,” and

WHEREAS, legislation to amend the Pennsylvania Constitution to reform the decennial legislative and congressional redistricting process with the intent of using fairness and sound methodology in a non-partisan fashion is required to ensure these reforms.

NOW, THEREFORE, BE IT RESOLVED that the Collegeville Borough Council does hereby support legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both legislative and congressional redistricting to an independent citizens redistricting commission; and

BE IT FURTHER RESOLVED that we call upon all those elected officials and party leaders in the Commonwealth of Pennsylvania who represent the citizens of the Borough of Collegeville (see list below) to publicly announce their support of and commitment to work towards passage of such legislative efforts, and that a copy of this resolution be delivered to each of them.

Governor Tom Wolf
Lieutenant Governor Mike Stack
Attorney General Josh Shapiro
Secretary of State Pedro A. Cortés
United States Senator Bob Casey

United States Senator Pat Toomey
United States Representative Ryan Costello
Pennsylvania Senator John Rafferty
Pennsylvania Representative Michael Corr
County Commissioner, Valerie A. Arkoosh
County Commissioner, Kenneth E. Lawrence, Jr.
County Commissioner, Joseph C. Gale
Collegeville Mayor Aidsand Wright-Riggins
Chairman, Democratic Party of Pennsylvania, Marcel Groen
Chairman, Republican Party of Pennsylvania, Val DiGiorgio

Attest:

Geoffrey Thompson, Borough Secretary

Marion McKinney, President of Council



Redistricting Reform

Frequently Asked Questions

Q1. Why is Fair Districts PA supporting SB 22 and HB 722 rather than any of the other redistricting reform bills?

A. SB 22 and HB 722 are the result of lengthy discussions and negotiation among a variety of parties interested in meaningful reform, drawing on input from election reform analysts and citizens involved in successful reform efforts in several other states. FDPA believes these identical bills include some key reforms that are not found in other proposals:

- (1) random selection of commission members from pre-qualified lists of voters;
- (2) a prohibition against appointing lobbyists, government officials or their family members; and
- (3) a transparent redistricting process that encourages public input.

*¹Some of the other bills introduced address redistricting standards rather than process. We believe that's important and will support similar bills in the future, but those do not require a constitutional amendment, so are not as time-sensitive as an attempt to create an independent commission. It's a long, challenging process to have an amendment pass. While we appreciate the intention behind many of the bills introduced, it's important that we rally full support behind specific legislation and work to see that enacted. Fair Districts PA leaders were involved in the drafting of these bills, have worked hard to educate the public about what the bills say and believe these have the best chance of passage in this legislative session.

Q2. The people calling for reform are mostly voters unhappy with the 2016 Presidential election results. These bills won't change that.

A. It's true that many people were energized by the 2016 election, including Democrats, Republicans and others. People are also concerned by what they perceive as inaction by their elected representatives and an inability or unwillingness to work across party lines. When people look for the

¹ Questions and answers marked with an * have been added or substantially edited since an earlier version of this document.

root causes of those problems, they inevitably conclude that gerrymandering is at the top of the list and must be stopped.

Q3. Gerrymandering has been around a long time. Why are we just hearing about this now?

A. Gerrymandering has been part of the political process for centuries, but by any measure it has become far worse in recent decades. New mapping and data-mining technologies allow mappers to predict district outcomes with great precision in a way that increasingly deprives voters of choice. While squiggly lines are not the problem, districts that unnecessarily divide counties and townships or wrap around each other in odd ways are clear indicators of partisan intent. Voters believe these districts undermine accountability and protect unresponsive incumbents. While some organizations involved with Fair Districts PA have been working on this since the 1990s, many more citizens are just now becoming aware of the need for reform before the 2020 census.

***Q4. Relative to other states, just how badly is Pennsylvania gerrymandered?**

A. Very badly indeed. According to the 2017 report by the Brennan Center for Justice, PA ranks as the most gerrymandered state by two measures and among three worst by a third measure. The Electoral Integrity Project, a global election watchdog organization, gave PA's redistricting process an 11 on a scale of 1 - 100, third worst of all the states by this measure. By any measure we've seen, PA ranks as the most, or among the three most, gerrymandered states in the nation.

Q5. You can't take politics out of the redistricting process. Even the courts have recognized that political motivation doesn't make a redistricting plan invalid.

A. These bills are designed to minimize the influence of political motivations and to create districts that respect existing county and municipal boundaries. When you look at what gerrymandering has done to state legislative and congressional districts in Pennsylvania, the status quo is indefensible. An independent citizens commission could not possibly do worse. No other advanced democracy in the world allows partisan politicians to draw their own political boundaries.

Q6. The problem isn't gerrymandering, it's geography. You have large urban areas with mostly Democrats and large rural areas with a lot of Republicans. Changing the process won't change the result.

A. *In some states that may be true. However, the Brennan Center found PA's Ds and Rs are not as divided geographically as many other states, yet the district lines have been manipulated into some of the most gerrymandered districts in the country. Statistical analysis shows that maps drawn without partisan intent would yield a much more even distribution of seats between both major parties.

Q7. Why are these bills better than the current system? Legislators are accountable to the voters, while the Commission members would not be.

A. Under the current system, the plans are developed by a small number of legislative leaders from each caucus, dominated by whichever party is in the majority. Those leaders are not accountable to voters in the districts being gerrymandered. SB 22 and HB 722 require the General Assembly to determine the qualifications of members of the independent commission, so the enabling legislation could include appropriate accountability safeguards.

Q8. How will the Commission be independent if the Secretary of State – a political appointee – will be involved in the process?

A. As the Commonwealth's chief elections officer, the Secretary is a logical choice because the department is already involved in overseeing our elections. The Secretary and department staff have expertise in this area and are required by law to promote the integrity of the electoral process. The role of the Secretary of State in selecting the commissioners, as defined by these amendments, would be administrative. Enabling legislation will define in detail the qualifications of commissioners, specifics regarding how the opportunity would be advertised and the pools of candidates created. Such legislation would also describe in detail the randomized process of selection, most likely a computer algorithm designed to ensure the demographic diversity of the commission.

Q9. Why do independent and third-party voters only get three seats on the new independent commission?

A. The division of membership among the major political parties and other groups was intended to prevent any one political group from dominating the process. The exact numbers of unaffiliated and third-party voters will change over time, so it's difficult to identify the correct proportion for their membership on the Commission. The bills do require that the final redistricting plan be approved by a super-majority, including at least one vote from each group, to ensure that no one person from any group can hijack or stall the process.

Q10. Why do the bills allow redistricting to be done by a Special Master if the Commission is unable to agree on a plan? Isn't there a risk that person will be politically biased?

A. The Special Master would be appointed by the PA Supreme Court in the rare situation where the Redistricting Commission is unable to agree on a plan. Special Masters are commonly used in many different areas of law when courts need to rely on individuals with specialized expertise to advise them. It is important to note that the Special Master would be bound by the same rules and standards that apply to the Commission itself. Also, the Special Master would not act unilaterally; his plan would have to be approved by the Supreme Court before it could take effect. *There is strong legal precedent for the use of Special Masters in redistricting and research demonstrating that maps drawn by such court-appointed experts are consistently more fair and less likely to be contested than those drawn by partisan politicians.

Q11. Have other states enacted similar laws? Have they resulted in more even election results?

A. According to research by Common Cause, six states have citizen commissions (AK, AZ, CA, ID, MT and WA) and redistricting reform legislation is pending in at least 13 other states, including PA.

The best measure of success of these laws is not how the elections turned out after reform was adopted. The goal is to end a process that currently allows the party in control to solidify power at the expense of minority parties and unaffiliated voters and that allows the major political parties to carve up districts to protect incumbents of both parties.

***Q12. Weren't there problems with the California redistricting process? There was a ProPublica article that said Democrats hijacked it.**

A. While Fair Districts PA's supported legislation is modeled after California's legislation, PA legislators have been able to take advantage of lessons learned in California, eliminating language about communities of interest that opened the door to the problems addressed in the ProPublica article. Even though the California process wasn't perfect, most analysts agree it dramatically changed the tone of elections, opened the door to new voices and restored confidence in elections. Harvard's Kennedy School of Government recently awarded the California Citizens Redistricting Commission the 2017 Roy and Lila Ash Innovation Award for Public Engagement in Government, with a \$100,000 grant to support similar initiatives elsewhere, noting "the California Citizens Redistricting Commission shows how citizens can take the lead in redistricting efforts to construct maps that respect communities and citizens and are fair to political parties. It is an innovation that other states should consider emulating."

Q13. How is Fair Districts PA organized and where do they get their financial support?

A. FDPA is a coalition of individuals and organizations begun in early 2016 by Common Cause PA, the League of Women Voters of Pennsylvania, Committee of Seventy, Pennsylvania Council of Churches and other groups concerned about our increasingly unresponsive legislature. Since then, thousands of supporters, hundreds of volunteers and dozens of other organizations have joined the effort. There are now dozens of local groups in counties across the state.

Funding comes from in-state, individual donations and the support of our publicly endorsing organizations. Legally, Fair Districts PA functions under the fiscal sponsorship of the League of Women Voters of Pennsylvania. FDPA co-founder and chair Carol Kuniholm has been election reform specialist on the board of the LWVPA since June of 2015. FDPA's other co-founder, Barry Kauffman, was executive director of Common Cause PA for almost three decades, leaving that role and his involvement with FDPA in December 2016.

*Opponents of change have suggested FDPA is funded by George Soros. Mr. Soros has made significant contributions to the national League of Women Voters as well as dozens of other organizations and candidates in both political parties, including several Republican presidential candidates. He has not contributed to the League of Women Voters of Pennsylvania or to Fair Districts PA. FDPA is an all-volunteer, grassroots organization and has not received money from any out-of-state funders or political action committees. Other than several hundred dollars of seed

money from founding organizations, to date all funding is from individual supporters and small PA-based foundation grants of \$10,000 or less

Q14. Is FDPA associated with any of the groups sending anonymous postcards and using other questionable tactics?

A. This issue of gerrymandering has caught the attention of a large number of very diverse groups. Some of them have endorsed FDPA and our guiding principles. All our communications on this issue will clearly identify who we are, and you will not see us using any tactics that attempt to disguise where they are coming from. There are other groups out there that have good intentions, but have chosen to use different tactics, which we do not necessarily endorse. Hopefully, your concerns about some of these other groups and tactics will not prevent you from considering the need for redistricting reform on its own merits.

***Q15. Why would a Republican legislator vote to change our redistricting procedures?**

A.

I. **“Redistricting reform makes sense for its own sake and as a safeguard against the entrenchment and insulation of a permanent political class. Voters should choose legislators, not the other way around.”** (See the [Cato Handbook for Policy Makers](#) for more on this.)

II. **A strong belief in the constitution and constitutional democracy requires commitment to the voice of the people and the people’s right to elect their legislators.**

The PA Constitution states clearly:

“All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper” (Article I, Section 2).

Gerrymandering puts power in the hands of legislative leaders and undermines the power of the people. Research suggests that the average voter now has a near-zero chance of influencing policy. For anyone who believes in representative democracy and the Constitutional right of citizens to elect their legislators, this should be of great concern.

III. **Our current system allows leadership on both sides inappropriate control of rank-and-file legislators.**

The threat of retaliation in redistricting undermines accountable government and rewards acquiescence to leaderships’ demands rather than problem-solving and effective governance.

IV. **Reform would foster a stronger economy.**

Gerrymandering has hurt the nation’s capacity for problem-solving, with negative consequences for economic growth. In Pennsylvania, that’s evident in a low state credit rating, in poor workforce development and in the kind of legislative uncertainty that deters corporate investment. (See [Why Politics Is Failing America](#) for more.)

V. **Our current process makes PA a pawn in a game played by outside interests.**

As one of the few remaining swing states, and as a state with no gift ban and limited regulation of campaign contributions, PA is a target in the national competition for control of Congress and has been described as “best bang for the buck” for national and international dark money.

VI. PA Republican legislators will be harmed by the next redistricting process.

- a. The current PA Supreme Court now has a majority of justices elected as Democrats. It will be the final authority on the legality of any of the legislative or congressional maps drawn after the 2020 census. The state constitution sets a very high standard for legislative maps, stating that no counties or municipalities shall be divided “unless absolutely necessary.” This provides the court with a strong basis to reject any mapping plan voters appeal.
- b. Under the current redistricting rules in the state constitution, the five-person redistricting commission includes four elected leaders of the state House and Senate, two Democrats and two Republicans, plus a fifth person to be chosen by those four. If the four can’t agree on their fifth member, the state constitution says the appointment shall be made by the Supreme Court. That could permit Democratic Party leaders to take control of the next round of legislative redistricting.

***Q16. We've heard there's no time to get these bills passed and we should turn our energy now to addressing congressional districts.**

- A. Some in Democratic leadership have expressed support for limited changes to the current system while keeping the redistricting process in place, since the Democrats will likely be in control of the mapping process for state legislative districts. (See Q15.VI. above.)

***Q17. Doesn't this proposal lock in the power of both major parties? How is this fair to independents or third party voters?**

- A. Pennsylvania policy, to date, has effectively locked out third party and independent voters through closed primaries, gerrymandered districts and campaign finance laws that allow undue outside influence. Redistricting reform won't entirely fix that, but would at least give third-party and independent voters a say in how the lines are drawn. That, in turn, would open the door to more competitive elections and would provide a first step toward greater responsiveness to new voices and alternative points of view.

Are there questions we've missed? Answers you think need more detail? Email questions and suggestions to Advocacy@FairDistrictsPA.com.