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**Statement of
Chellie Pingree, President, Common Cause
On Redistricting Reform
Hearing of the California Senate Elections, Reapportionment and Constitutional
Amendments Committee
June 29, 2005**

In California and around the country, we have a broken redistricting system where incumbents are given the power to tailor-make their own designer districts.¹ This system of redistricting turns democracy on its head because it allows incumbents to choose the voters they want to represent. The 2001 redistricting map created safe seats for all incumbents, and even their chosen successors, resulting in two rounds of state elections where not one incumbent lost and not one seat switched parties.

That is why Common Cause has called for dramatic redistricting reform – we want to give political power back to the people. For 30 years in states across America, we have advocated for:

- Truly independent and representative redistricting commissions,
- Strong and fair criteria for drawing the districts, and
- A fair and transparent public process.

In order to restore voters' trust in government, we must start with redistricting reform that meets these straightforward and fair principles.

We believe that the amended version of SCA 3, authored by Sen. Lowenthal, is a step in the right direction. We commend Senate President Pro-Tem Don Perata, Majority Leader Gloria Romero, Democratic Caucus Chair Kevin Murray, Senator Roy Ashburn and their many Senate colleagues for working tirelessly toward a solution to this problem.

We offer the following comments on the newly amended SCA 3 in the hope that the bill can be strengthened to ensure that a truly independent commission is in charge of the process, that the criteria for drawing districts are fair and that the process is transparent and open. For purposes of today's hearing, I will share our concerns without going into specific details which will need to be worked out in the coming days. Common Cause looks forward to meeting with legislators to further discuss proposed language changes.

The Commission Composition and Qualifications

We commend the Senate leadership for tackling the knotty question of how the redistricting panel should be chosen and who they should be. We strongly support an independent citizen panel that is not limited to retired judges. We believe that the

¹ See Common Cause's Report, "Designer Districts: Safe Seats Tailor Made for Incumbents," at www.commoncause.org.

selection process can be strengthened to better protect the independence and integrity of the commission. Additionally, there needs to be more stringent provisions about who can serve.

1. The independence of the redistricting panel is paramount. We suggest requiring that 3 of the members of the commission be members of neither major political party and identifying appointing entities that are truly independent. We also recommend considering a hybrid model that allows a pool of independent and qualified citizens to be created by an independent entity, from which panelists may be chosen 7-9 appointing authorities.
2. We recommend additional language banning from service on the commission legislative and congressional staff, consultants and contractors, and all persons with a financial or family relationship with state legislators, congressional members, and Board of Equalization members.
3. There should be a minimum five-year prohibition on political activity of commissioners.
4. We recommend a super-majority vote (2/3 vote) be required for passage of a plan.

Public Access and Transparency

1. California has strong open meeting requirements in the form of the Bagley-Keene Act. These requirements - for hearings, notice, and communications – should serve as a baseline for SCA 3.
2. All documents and proceedings, minutes, maps, proposals and communications must minimally be available via the web, upon request and via whatever distribution method facilitates broad distribution of information.
3. Secret meetings in which legislators draw the “real” maps after the public hearings are over must become a thing of the past. We support a ban on ex-parte communications. Communications with the commission or its staff must be open and public.

Redistricting Criteria

For clarity to the commission, there should be language specifically prioritizing criteria in order of their listing.

1. Equal population between districts is fundamental and an important goal that should be stated in the top two criteria. We would recommend more general language about abiding by federal standards as defined by the courts. The language in the bill is unnecessarily specific.
2. Language expressing a commitment to protecting minority communities from vote dilution is important. This should be *added to* the reference to compliance with the federal Voting Rights Act, because state law (such as the California Voting Rights Act) should be and is stronger. Protection of minority voting rights should be in the top two criteria.
3. “Communities of interest” is an important concept that deserves definition and a higher ranking.
4. We urge language that specifically bans reference to data on incumbent’s residence in drawing the lines.

5. We continue to believe that creating more competitive districts is a goal that we should strive to achieve.

Common Cause has been pushing for 30 years to establish independent commissions with fair and clear criteria to do the work of redistricting. That's why we joined Governor Schwarzenegger back in February and called for a new and fairer process. And that is why we are here before you today to call once again for the passage of meaningful redistricting reform. We urge this committee, California Legislators of both parties and the Governor to come together to fix the state's broken redistricting process. It is too important to wait any longer.