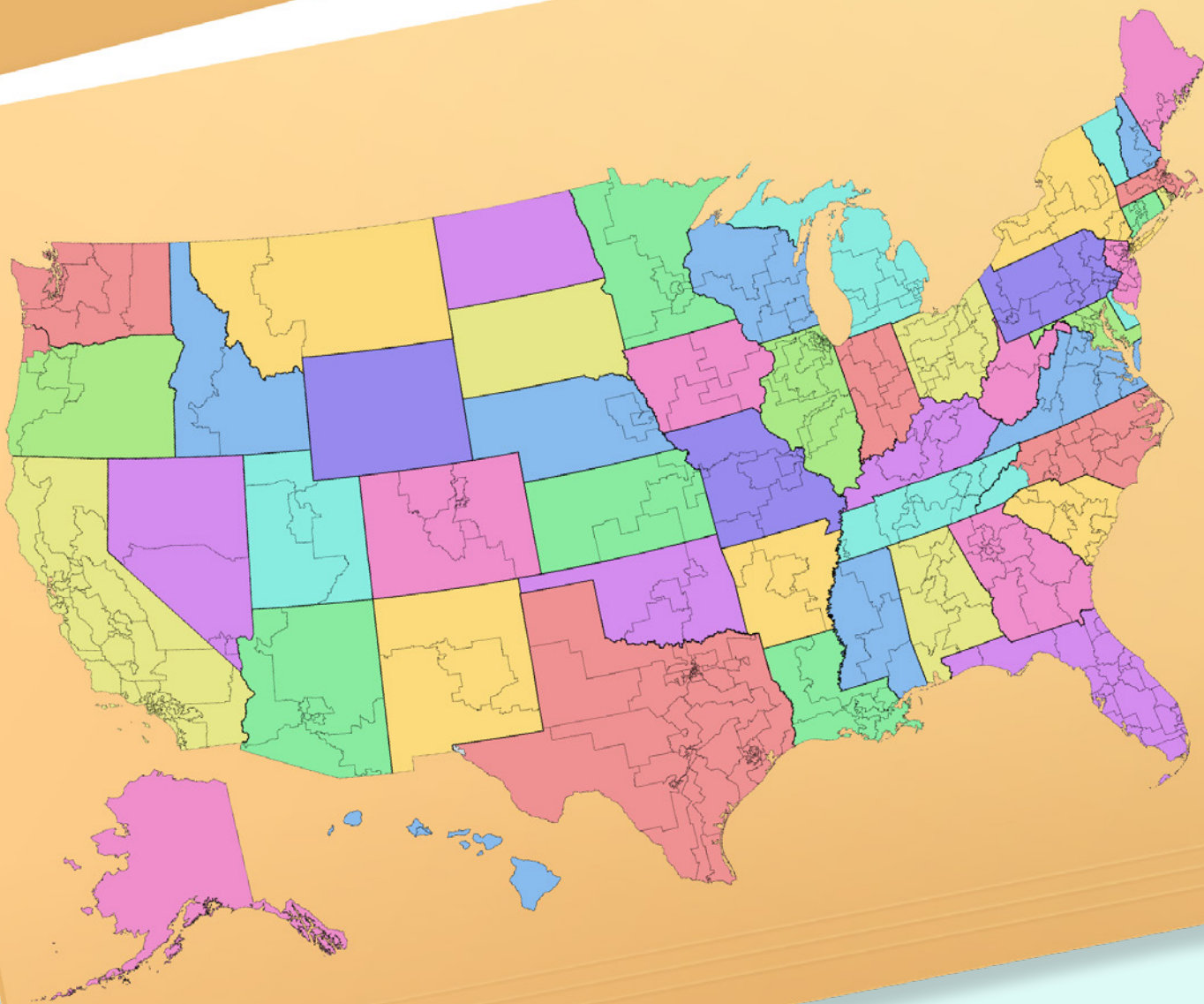
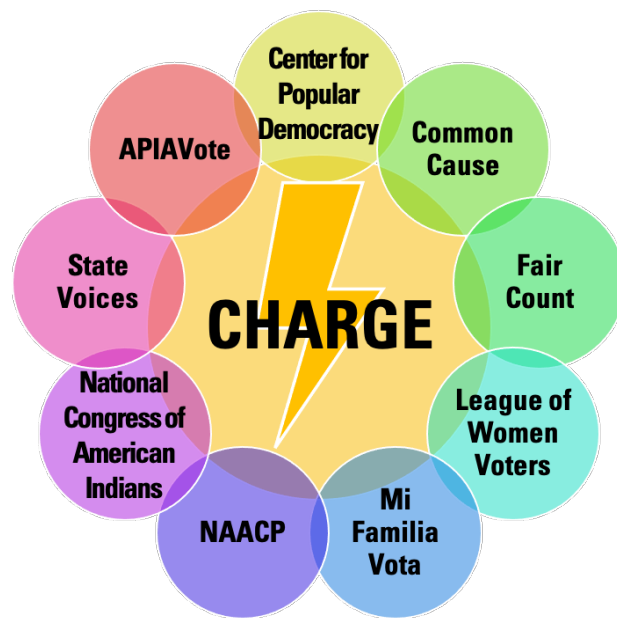


# Community Redistricting Report Card





## ABOUT CHARGE

CHARGE, the Coalition Hub for Advancing Redistricting & Grassroots Engagement, is a space for groups that organize people in the states and in local communities. CHARGE is composed of organizations that have presence in different states and that deploy different organizing strategies while uniting around the common goal that redistricting must be transformed to allow more voices to participate, be heard, and be represented.

This coalition held 30 joint trainings, reaching over 2,200 activists and community leaders in all 50 states through our Redistricting Community College. Individual CHARGE organizations conducted many more spinoff trainings. In addition to introducing participants to redistricting, our trainings provided the know-how, strategies, and tools organizations need to be effective advocates. The trainings introduced participants to the redistricting process in each state, the Voting Rights Act, how to talk about communities, how to work in coalitions, and how to utilize free online mapping resources.

## ACKNOWLEDGEMENTS

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# EXECUTIVE SUMMARY

## THE COMMUNITY REDISTRICTING REPORT CARD STRUCTURE

The Community Redistricting Report Card reflects on this redistricting cycle, rating each state's redistricting process based on community feedback. This report is the product of hundreds of on-the-ground interviews and surveys conducted by CHARGE. By engaging with organizations, advocates, and organizers from communities in every state, this report represents a holistic view of the redistricting experience—what worked, what did not work, and what can be done differently in the future.

Each interview and survey asked questions surrounding each state's redistricting process, including the transparency and accessibility of the process, the role of community groups, the organizing landscape, and the use of communities of interest criteria.

This report contains a background on each state's redistricting scheme, the successes and challenges, and lessons learned to improve future redistricting cycles. The letter grade given to each state reflects the aggregate feedback and grades given by our interviewees—how they viewed their state's redistricting process.

## REDISTRICTING CHALLENGES AND REPORT FINDINGS

Under the best of circumstances, public participation in redistricting can be challenging. In states where legislators draw districts, they jealously guard their power so they can draw districts behind closed doors to maximize partisan advantage and protect themselves from potential challengers. This cycle, legislators often achieved that goal by limiting the number of public redistricting hearings, scheduling them when many potential participants were working, providing limited translation services or disability access, and simply drawing district maps in secret without regard to public input.

In addition to those challenges, which are common to every redistricting cycle, participants in the 2020 cycle faced unprecedented barriers to public participation. States received census data six months later than usual due to a pandemic-driven change to the U.S. Census Bureau's counting schedule. This condensed the time available to organize communities and provide meaningful feedback in response to draft maps. The pandemic also made it difficult at certain critical points in the redistricting cycle to host in-person organizing sessions that are crucial to building power.

Despite these numerous barriers to participation, organizers found creative ways to conduct public education and engage communities. With the support of CHARGE resources, democracy advocates across the country trained their fellow citizens on the connection between redistricting and effective democratic representation, mapping their communities to give those drawing final maps specific and usable feedback, and giving clear, concise, and compelling testimony at redistricting hearings.

Although efforts to organize communities varied greatly due to local circumstances, some common themes are discernable.

## KEY FINDINGS

- ✓ **Independent citizen redistricting commissions are significantly more likely to seek public feedback and integrate it into voting maps.** The screening process for independent commissions eliminates individuals with a personal bias in the drawing of districts. As a result, these commissions tend to attract individuals making a good faith effort to learn about communities and make informed decisions about how to ensure the fairest representation possible for the highest number of people.

- ✓ **Not all redistricting commissions are created equal.** Some state redistricting commissions include elected officials, allow elected officials to have a greater say in the appointment of redistricting commissioners, or give legislators a final say in the approval of maps. These commissions are far more likely to suffer from partisan deadlock or produce maps that ignore public input and instead focus on partisan, racial, or incumbent advantage.
- ✓ **Legislators often seek to make the process of drawing districts as secretive as possible.** Advocates had to engage in intensive organizing to ensure the public would have a meaningful role in redistricting and that hearings would be accessible to the public. This often meant fighting for proper notice of hearings, transparent proceedings, translation services, and online testimony options. Moreover, when opportunities for input did exist, they did not always translate into wins for communities or real changes to maps. This was sometimes used against communities when redistricting bodies claimed their process was “the most transparent ever” and provided many opportunities for public input only to ignore the vast majority of input given. Transparency and input are needed and sorely lacking, but it cannot be the only marker for an equitable redistricting process.
- ✓ **Effective organizing can result in wins for communities even in states with a partisan and politician-led process, especially at the local level.** Although politician-led redistricting processes tend to focus almost exclusively on incumbent protection and partisan or racial advantage, that does not mean all hope is lost. Advocates successfully pushed back on egregious community splits in several states when demonstrating the legal jeopardy such splits placed maps in, harmful impacts on those communities, and reasonable alternatives. In states with entrenched single party control and a politician-controlled process, local organizing resulted in key wins that made real differences in people’s lives.
- ✓ **Communities of color are still being targeted and left out of the redistricting process.** Population growth in most states was driven by communities of color, but that fact did not guarantee a seat at the table for those communities when redistricting decisions were made. Entrenched politicians who view these communities as a threat to their political power made the process inaccessible and then packed and cracked these communities into districts that limited their political power. Organizing communities of color to demand a voice in redistricting remains essential because they are often the targets of political disempowerment. Additionally, legislators are becoming more sophisticated in avoiding liability for Voting Rights Act violations. Activists should consider ways to collect evidence relevant to VRA cases when legislators attempt to cover their tracks.
- ✓ **The least-change approach to redistricting limits the ability of communities of color to achieve effective representation in redistricting.** In some states, legislatures and courts adhered to the idea that new districts should resemble old districts as closely as possible. The Supreme Court in *Allen v. Milligan* has rejected this fiction in states where communities of color have driven demographic changes. Least-change arguments have been used to make previous gerrymanders permanent, making it a harmful concept that dilutes the votes of communities of color and hinders fair representation.

## LOOKING FORWARD

Some common themes regarding organizing successes and challenges also arose in our surveys and interviews that can help shape the future of redistricting work. These include:








- ✓ **Linking redistricting to census messaging during “get out the count” efforts would have made subsequent public education easier.** Outreach to historically undercounted communities prior to the census understandably focused on the importance of an accurate count to the allocation of government resources. However, some organizations expressed regret that they did not discuss the role an accurate count plays in ensuring effective representation in redistricting. They believe that driving home this point early and when they had increased resources for census count efforts would have made the task of inspiring the public to action on redistricting work easier.





## WHAT DO THESE GRADES MEAN?

States received grades based on several factors related to the redistricting process and mapping outcomes. These include transparency, opportunities for public input, willingness of decision makers to draw districts based on that input, adhering to nonpartisanship, empowerment of communities of color, and policy choices such as rejecting prison gerrymandering.

	California, Massachusetts
	Alaska, Colorado, Iowa, Maine, Michigan, Montana, New Mexico, Vermont
	Arizona, Hawaii, Nevada, New Jersey, Washington
	Connecticut, Minnesota, Nebraska, Oklahoma, Pennsylvania, South Dakota
	Maryland, Missouri, New Hampshire, Virginia
	Delaware, Oregon, Rhode Island, Utah, Wyoming
	Arkansas, North Dakota, South Carolina
	Georgia, Idaho, Indiana, New York, West Virginia
	Kansas, Kentucky, Louisiana, Mississippi, Texas
	Alabama, Florida, Illinois, North Carolina, Ohio, Tennessee, Wisconsin



## BACKGROUND:

The state legislature controls redistricting in Alabama. The legislature drew the maps with minimal change from maps drawn in previous decades. Despite Alabama's large Black population, the congressional map was drawn to only have one district in which Black voters constituted a majority of the voting age population. In *Allen v. Milligan*, a case challenging Alabama's congressional map under Section 2 of the Voting Rights Act (VRA), the Supreme Court ruled that Alabama had diluted Black voting power in its congressional voting map, reaffirming the power and importance of the VRA.<sup>1</sup>



The decision in *Allen v. Milligan* was an enormous win for Black Alabamians, voting rights groups and groups fighting for fair redistricting across the country. However, the Alabama legislature held a special session in July 2023 to redraw maps and failed to draw an additional majority-Black district.<sup>2</sup> Civil rights groups are objecting to these maps in court as failing to comply with the Supreme Court ruling, and the matter has not been settled as of July 2023.<sup>3</sup>

## COMMUNITY OF INTEREST STORY

Alabama voters, civil rights groups, and faith groups, including Evan Milligan, Alabama Values, Greater Birmingham Ministries, and Alabama State Conference of the NAACP, filed a federal lawsuit challenging the congressional and state legislative lines drawn by Alabama's legislature. At the core of the challenge to Alabama's congressional districts was the packing of the state's Black population into a single district, while leaving stranded and dividing communities in Montgomery County where a second majority-Black congressional district could have been drawn. As Legal Defense Fund (LDF) Senior Counsel Deuel Ross described these communities, "the Black Belt is a historic and extremely poor community of substantial significance."<sup>4</sup> In June 2023, the U.S. Supreme Court agreed, issuing a resounding decision in *Allen v. Milligan* that affirmed the protections of Voting Rights Act against racial discrimination, overturning Alabama's district lines in light of "Alabama's extensive history of repugnant racial and voting-related discrimination."



Merrill v. Milligan plaintiff Evan Milligan speaks at the press conference following oral arguments on Oct. 4, 2022.



Attendees at a rally prior to oral arguments in Merrill v. Milligan.

## OVERALL STATE GRADE: F

**Lack of racially polarized voting (RPV) analysis:** Given past violations of the Voting Rights Act, many advocates petitioned repeatedly for the legislature to complete an RPV analysis to ensure that maps weren't violating the VRA. The Legislature flatly rejected the request to complete a RPV analysis and the majority in the Legislature admitted no RPV analysis had been completed to determine whether packing Congressional District 7 was necessary to satisfy the VRA.

**Inaccessible public hearings:** While the Legislature held 28 public hearings across the state, none were accessible. Twenty-seven of the hearings were held during the working hours of 9 a.m. - 5 p.m., when the public was least able to attend. The only one that was held at 6 p.m. was at the Statehouse in Montgomery. Some advocates also said the Legislature used Microsoft Teams for their webinar platform, which was inaccessible to many people.

**Rushed timeline:** Draft maps weren't released to the public by the Legislature until the day of their first meeting about maps. Legislators were only shown their districts, not the map as a whole - leaving many in the dark about the implications of the entire map.

## LOCAL GRADE: B

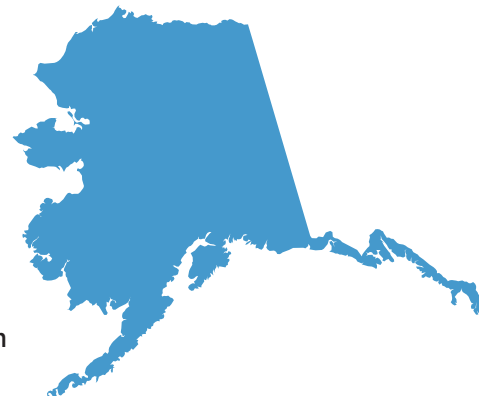
Advocates reported that it was often easier to hold local officials accountable on local maps, even if results did not end up being what communities wanted. In Prattville, a network of organizations and advocates was able to apply pressure in the city council redistricting process and successfully advocated for more time to analyze the process and proposed maps. Because local redistricting is hyperlocal, it requires careful observation in each county to ensure a fair process.

## LESSONS LEARNED:

- ✓ **Alabama-specific messaging helps:** Advocates spoke to the importance of messaging that tied redistricting to Alabama's history, culture, and specific issues at play for Alabamians. Alabama Values was highlighted for their work on Alabama-specific messaging.
- ✓ **Many trainings are needed for the mechanics of map making and interpreting census data:** Interviewees highlighted the importance of multiple trainings on the nuts and bolts of map making and interpreting data, since this allowed communities to understand the process better and be better able to analyze maps.
- ✓ **Research and reports specific to Alabama were helpful:** Redistricting research, reports, and map trainings were instrumental in building a base for training people in the future and giving them tools to use as the base of their testimony.
- ✓ **Hyper-local organizing is a real need:** Advocates spoke repeatedly to the need to start local and then move statewide in future redistricting work. Starting local could help with civic engagement generally and get groups more invested in local stories and data before moving into big picture and state level work.
- ✓ **More collaboration on the front-end:** Coalition work can be difficult and there is natural division over different groups' visions for ideal maps. Taking time for cooperation and tough conversations on the front end before presenting unity maps could help groups reach a consensus or understand divisions earlier.
- ✓ **Define goals earlier in coalition:** Similar to the previous point, organizations have different relationships and roles within the advocacy ecosystem. Defining goals earlier would allow groups to ensure they are bringing their best skills and that they can effectively engage in partnership with other groups.

## BACKGROUND:

Alaska’s legislative districts are drawn by a five-member Redistricting Board. Each person is appointed by an elected official, which has resulted in partisan bias.<sup>5</sup> In 2021, two Alaska Natives were appointed to the board – Nicole Borrromeo, Vice President and General Counsel for Alaska Federation of Natives, and Melanie Bahnke, President of the Kawerak tribal consortium; both are registered with no party – a first for Alaska. The other three board members were appointed by Republican elected officials. The leadership of Borrromeo and Bahnke in conducting outreach to Native populations, actively listening to testimony of far-flung communities, and fighting through multiple rounds of litigation, was important to a court’s eventual adoption of maps that would respect Native communities.



## COMMUNITY OF INTEREST STORY

The Alaska Native community of Muldoon organized to secure district maps that would give residents an opportunity to have a vote that counts. The municipality of Anchorage includes over 30 neighborhoods and communities. Muldoon is a neighborhood in northeast Anchorage with a significant Alaska Native population, and an overall population large enough to be split into two state house districts. The question arose of how to pair the house districts into one senate district. The politically appointed redistricting board voted along partisan lines to reject the proposed plan of the two Alaska Native board members, Borrromeo and Bahnke. The board instead adopted a redistricting plan that split Muldoon into two senate districts and paired the southern portion with the neighborhood of Eagle River. Board member Borrromeo, who was also Executive Vice President and General Counsel for the Alaska Federation of Natives, said, “I see no reasonable explanation for splitting Muldoon,” noting that Eagle River’s high income and predominantly white population would submerge Muldoon’s more racially diverse and middle income population.<sup>6</sup>

East Anchorage plaintiffs sued, challenging the proposed map as a partisan gerrymander. The Alaska Supreme Court found, in a 141-page opinion, that the trial court was correct in finding that the maps were an illegal partisan gerrymander. When the commission redrew the lines, again splitting along partisan lines, the three-member majority doubled down, again splitting Muldoon, and pairing it with Girdwood. Alaskans again challenged the maps.

The Alaska Supreme Court affirmed the map was a political gerrymander. Ultimately, the minority map that had been proposed by the Alaska Native commissioners, which unified Muldoon into one senate district, was adopted.<sup>7</sup>

## OVERALL STATE GRADE: B

The outreach received high marks. Pushed by independent board members Borrromeo and Bahnke, the board held 26 hearings, reaching rural villages in just about every part of the state. The board also provided a virtual testimony option, which created a COVID-safe and convenient alternative for people who could

not travel to the hearing locations. However, the overall process is marred by the political nature of the appointments to the board which required multiple rounds of court correction before final fair state maps that recognized Alaska Native communities were adopted.

## **LESSONS LEARNED:**

- ✓ **Reform the Redistricting Board:** There must be a Board selection process that does not involve giving highly partisan elected officials the power to directly appoint. Further, require that the final adoption of any plan include at least one vote of a board member from each partisan group represented on the board.
- ✓ **Strengthen Alaskan constitutional language by banning partisan and incumbent gerrymandering outright:** No district shall be drawn that unduly favors or discriminates against a party, incumbent, or candidate.
- ✓ **Improve public participation:** There should be hearings around the state, including many rural areas and villages, to ensure all Alaskans can participate. In addition, the state must provide virtual options for public input to allow regular people who cannot travel or take time off to be able to participate remotely and safely. It is also recommended to conduct outreach in Native Alaskan languages early and often.

## BACKGROUND:

The Arizona Independent Redistricting Commission (AIRC) is responsible for drawing both congressional and state legislative district lines. The commission is composed of five members. Of these, four are selected by the majority and minority leaders of each chamber of the state legislature. The four commission members appointed by legislative leaders (two Republicans and two Democrats) then select the fifth member to round out the commission. The fifth member of the commission must belong to a different political party than the other commissioners. The Arizona State Legislature may make recommendations to the commission, but ultimate authority is vested with the commission.



The Arizona Constitution requires that both congressional and state legislative districts be “contiguous, geographically compact, and respect communities of interest—all to the extent practicable.” The state constitution further mandates that district lines “should [follow] visible geographic features, city, town, and county boundaries, and undivided census tracts.” In addition, the constitution requires that “competitive districts be favored where doing so would not significantly detract from the goals above.”<sup>8</sup>

After the 2020 United States Census, Arizona was apportioned nine congressional districts, which was unchanged from the number after the 2010 Census. On January 24, 2022, Arizona enacted its new congressional map after a unanimous AIRC vote.<sup>9</sup>

## COMMUNITY OF INTEREST STORY

While the AIRC included a Native American commissioner, Native Americans lost political power in this round of redistricting. In 2011, the AIRC drew a state legislative district, District 7, expressly to empower Native American voters. In 2021, the AIRC did not need to comply with longstanding Department of Justice “preclearance” requirements after a landmark provision of the Voting Rights Act of 1965 was dismantled by a conservative majority in the U.S. Supreme Court in 2013 (*Shelby County v. Holder*). The new district, while keeping the same tribal areas together as in 2011, was redrawn without being grouped with Latinx people and other communities that have similar candidates of choice. This leaves Native voters in the state with a near guarantee that a bolstered white majority will overpower them for the next decade.<sup>10</sup>

## OVERALL STATE GRADE: B-

## LESSONS LEARNED:

- ✓ **The AIRC encouraged public participation:** Despite the pandemic, the AIRC conducted a 17-day tour with 15 public hearings.<sup>11</sup> In addition to public hearings, the AIRC gave the public options to give written and online testimonies. According to the Community of Interest Report created by the AIRC, there were 910 public submissions. The public can access the submissions and how they overlap on maps using the AIRC’s tools found on their website.<sup>12</sup>



- ✓ **Increased participation from advocacy groups made a difference:** There was an increased effort to build coalitions and advocate for fair maps. Those engaged with coalitions believed that their efforts had an impact on final maps. However, not all good government groups were engaged in the coalitions that were established, and the AIRC did not take all the recommendations on how best to decrease barriers for community participation.
- ✓ **Coalition building should continue:** Coalitions must also engage local organizations representing diverse communities as well as state-wide organizations. Wins for low-income communities and communities of color are attainable when communities build power together.
- ✓ **The AIRC should lower barriers for low-income and immigrant communities to participate:** This can be accomplished by ensuring language access, especially for Spanish-speaking communities, providing more user-friendly mapping tools, holding meetings in more centralized locations, and creating an easier-to-navigate website.<sup>13</sup>
- ✓ **Create guardrails that ensure that the AIRC is truly independent from partisan politics:** The AIRC must evolve: this may include increasing the number of commissioners, creating a selection process that does not involve the state legislature, and/or drafting policies that allow redistricting matters to only be discussed in public.

## BACKGROUND:

In Arkansas, the state legislature draws and passes congressional maps as regular legislation. A constitutionally mandated three-member Board of Apportionment, consisting of the Governor, Secretary of State, and Attorney General, draws state legislative maps. There were multiple lawsuits filed challenging the 2020 maps, including *Suttlar v. Thurston*, *Simpson v. Thurston*, *Christian Ministerial Alliance v. Thurston*, and *The Arkansas State Conference NAACP v. The Arkansas Board of Apportionment*. *Suttlar v. Thurston* and *Simpson v. Thurston* were both dismissed, but the other two cases are still pending as of July 7, 2023.<sup>14</sup>



*Christian Ministerial Alliance v. Thurston* alleges the new congressional maps intentionally dilutes Black voting power through cracking Black voters living in Pulaski County. *The Arkansas State Conference NAACP v. The Arkansas Board of Apportionment* challenges state maps as racially discriminatory under Section 2 of the Voting Rights Act and was dismissed by a federal judge, but an appeal is pending before the U.S. Court of Appeals for the Eighth Circuit.<sup>15</sup>

## OVERALL STATE GRADE: D+

*“There were thousands of public comments and only a couple dozen maps, and if you look at the maps and public comments and compare them to the final maps you can tell the Board of Apportionment and Legislature put their middle finger up to the comments and said ‘This is how we feel about the community and [our] job.’” Kwami Abdul-Bey, founder of Arkansas Fair & Equitable Mapping Awareness, Planning & Action Team and founder of the Arkansas Election Defense Ad-Hoc Task Force*

Advocates in Arkansas spoke to the lack of input considered by the Board of Apportionment (BoA) and the state legislature. Though thousands submitted public comments, the BoA issued draft maps without ever acknowledging any community of interest (COI) input they had received. They held hearings before draft maps were released but were not transparent about what was heard in those hearings. They also never issued a report on their findings and how it impacted their decisions. The BoA also never responded to comments after they issued draft maps to explain their thinking, according to advocates.

**Structural issues:** In Arkansas, the redistricting process for state legislative maps is controlled by the Board of Apportionment, a board made up of the Governor, Attorney General, and Secretary of State. This year the entire board was controlled by one party (Republican), and advocates argued this process is ripe for politicization and gerrymandering. Local maps are approved by the respective county election commission which is made up of three members, two Republicans and one Democrat.

**Limited public hearings:** Public hearings were held only before maps were submitted, with no chance for the public to comment on maps after they had been drafted. One advocate stated, “Hearings were scripted and performative. They were designed to tell you what they were gonna do. If you watch videos, [the Board of Apportionment and legislators] were not prepared to answer any questions... Specific things that people said that would’ve made maps so much better—90% of those comments were ignored.” Only one hearing was held in the majority-Black Delta, and the BoA should have held more hearings in rural areas of the state.

**Disregard of public input:** The public was largely shut out of the process, with the BoA not acknowledging what comments it was taking into account in their decision-making except in rare cases involving powerful local political interests.

**Lack of transparency:** The BoA issued draft maps and gave a 30-day comment period but held no hearings during that time to explain the draft maps. Final maps were issued on the final day of the comment period. The legislators met on the 30th day, ignored everyone’s comments, and passed the maps that they wanted. This process shut the public out.

## **LOCAL GRADE: F**

INTERVIEWEES CITED MULTIPLE ISSUES WITH LOCAL MAP DRAWING INCLUDING **MAPS APPEARING OUT OF NOWHERE**, AND **BLACK AND LATINX CITY COUNCIL MEMBERS THROUGHOUT THE STATE BEING SHUT OUT OF LOCAL PROCESSES**.

## **LESSONS LEARNED:**

- ✓ **Education and engagement:** The advocacy community successfully mobilized their communities and got the general public far more engaged in redistricting and public representation than ever before.
- ✓ **Base for future commission reform:** Although a ballot amendment initiative failed this year, advocacy work for the amendment laid the foundation for potentially passing independent redistricting commission reform in the future. It also exposed the challenges that stemmed from this attempt.
- ✓ **Begin the process sooner and invest more resources:** Advocates noted that there is a need to start sooner and allocate more resources to this effort to ensure success in future redistricting cycles. Polling and focus group work could help find messages that resonate with people and cut through partisanship.
- ✓ **Depoliticize the process:** The Board of Apportionment was created by Democrats originally to have complete control of the process; when they were voted out, Republicans used the same process to flip the script. The redistricting process cannot be so partisan and must be depoliticized.
- ✓ **Future coalition building:** A lot of conservative rural areas were left behind by these maps, as were Black and Brown communities. Advocates noted that there is room to build unlikely alliances between rural conservative and urban communities of color, but in order to build working, authentic relationships, more resources must be devoted to this effort.

## BACKGROUND:

Since the passage of the Voters First Act in 2008, California has utilized the California Citizens' Redistricting Commission (CCRC), a panel of 14 members tasked with the drawing of the State Assembly, State Senate, and Board of Equalization lines. The passage of the Voters First Act for Congress in 2010 gave the CCRC the additional responsibility of drawing the lines for congress. The 14 members include five Democrats, five Republicans, and four decline-to-state individuals or members of other parties and are rigorously screened for political ties and conflicts of interest to ensure the commissioners are unbiased in addition to being well-qualified.

The CCRC are required to adhere to the following ranked map-drawing principles: geographic contiguity, geographic integrity (minimizing the splitting of cities, counties, neighborhoods, and communities of interest,<sup>16</sup> compactness, and nesting (two Assembly districts within each senate district, and 10 senate districts within each Board of Equalization district, where practicable).



## COMMUNITY OF INTEREST STORY

Significant and historical work was done to build the political power of Black, African, Middle Eastern, Muslim, and South Asian (BAMENSA) refugee and immigrant communities in the San Diego region. The Partnership for the Advancement New Americans (PANA) conducted a broad and sweeping campaign to engage the BAMENSA community in census and redistricting advocacy by engaging in multilingual (Arabic, Dari, Oromo, Pashto, Somali, and Swahili) workshops and equipping people with the technological and legal savvy to self-advocate. The absence of a Middle Eastern or North African (MENA) census category has thrown roadblocks in BAMENSA advocacy - the lack of this category essentially whitewashes this community, as people of MENA descent are forced to select the white category, though they may not identify with that categorization, and Black Africans may not feel the Black category best reflects their identity. (Of note, from January to April 2023, the Census Bureau sought public feedback on the potential addition of a MENA category in future federal demographic questionnaires, among other potential race and ethnicity data collection changes.<sup>17</sup>) Under the 2011 maps, the BAMENSA communities at all levels of government were split. As a result of PANA's advocacy on the 2021 maps, BAMENSA communities of interest (COIs) are kept whole in Congressional districts, all but one COI are united in the Assembly, and over 90% of PANA's mapped COIs are united within a single San Diego County Supervisorial District.

## OVERALL STATE GRADE: A-

## LESSONS LEARNED:

- ✓ **Significant public engagement:** This cycle, organizers noted a significant increase in public engagement. At the state level, there were over 30,000 written comments and nearly 4,000 verbal comments submitted.<sup>18</sup> Due to the significant amount of public engagement, organizers noted that next cycle, more of a systematized effort to aggregate and summarize feedback would be helpful to incorporate public input into the final maps.

- ✓ **Successful advocacy at state level:** Broadly, organizers found that the final state maps did respect and reflect communities of interest. For example, organizers cited successful advocacy for Latinx communities in the Central Valley, Inland Empire, San Fernando Valley, and Orange County. Further, organizers found that, in the process of working through COI mapping, communities worked to bridge differences, identify common problems, and envision common goals, including how to gain electoral power. Some of this work inspired further advocacy beyond redistricting, for example, language accessibility advocacy inspired organizing for increased language accessibility for other government resources.
- ✓ **Improve transparency:** Many of those interviewed expressed disappointment that the racially polarized voting (RPV) analyses were not fully shared. Although some heatmaps were shared, advocates stressed that even if not all of the material could be shared, summaries of findings and shapefiles could have been released. Though no legal transparency requirements were violated, advocates also felt that the mapping process could have been easier to follow as some advocates had to email the commission periodically for more information to understand what was happening. Some advocates noted that earlier posting of policies, hearings, and maps would have been helpful, especially in formats that were easily findable and searchable by the public.
- ✓ **Establish independent redistricting commissions (IRCs) at the local level:** Local redistricting processes functioned more fairly and engaged the public far better when using an independent redistricting commission. Many organizers noted that many local jurisdictions without an IRC appeared to violate the FAIR MAPS Act and were hostile to public input. Advisory commissions also fared poorly. A recent report released by a coalition of civil rights groups outlines this more thoroughly and provides additional recommendations for reform.<sup>19</sup>



## BACKGROUND:

Redistricting in Colorado is conducted by two independent redistricting commissions, one formed to draw congressional lines and the other to draw state legislative lines. The composition of the commissions is determined through a combination of random selection of qualified applicants, selection by legislative leaders, and a panel of retired judges. Proposed redistricting plans must be approved by the state supreme court, and both congressional and legislative plans were approved in November 2021.



## COMMUNITY OF INTEREST STORY

Community groups submitted maps to the commissions to push for majority-BIPOC districts, with a particular focus on the congressional map. Although almost a quarter of the population is Latinx, the congressional commission did not draw even one of the eight congressional districts as majority-Latinx, however advocates noted that there was an opportunity district created in this current map.

## OVERALL STATE GRADE: B

**Reliance on estimated data:** Due to constitutional deadlines and requirements, early map-drawing processes had to be done using estimated data before the delayed census data was available. Therefore, much of the public input that was provided to the commissions was based on the preliminary maps drawn using estimates instead of the final census data.

**Hearings after Census data released:** With much of the public input provided for preliminary maps using estimates instead of the decennial census data, the commissions should have done more hearings for draft maps based on actual census data. However, the commissions significantly pared down the commitments they had originally made to receive public input on the maps drawn using decennial census data, resulting in abbreviated hearings with limited opportunity for public comment.

**Majority-minority district:** Advocates proposed community-drawn maps that would have provided for a majority-Latinx congressional district, but the only district that took communities of color into consideration was an opportunity district. Advocates and organizations argued that the commission could have drawn a Latinx-majority district.

## LESSONS LEARNED

- ✓ **Independent redistricting commissions work:** This cycle marked the first time independent redistricting commissions were used to draw congressional and state legislative lines in Colorado, and advocates found that, although imperfect, the use of an independent process was a step in the right direction. Additionally, the commissions did more to ask for community input than in prior cycles.
- ✓ **Communities of interest feedback:** The independent commissions received a lot more public input on communities of interest and collected a lot of COI information. More than 5,000 public comments and 170 proposed maps were submitted.<sup>20</sup> The nonprofit and coalitional infrastructure in the state encouraged and trained community members on giving COI comments to the commissions.

- ✓ **Stronger community engagement:** Advocates found that the state did not have sufficient funding for community outreach, and the public education infrastructure left a void which nonprofit organizations needed to fill. The state’s public education on the redistricting and commissions process needs to be amplified in future cycles.
- ✓ **Commission selection process:** Although there was robust participation by advocates and communities once the commissions were seated and drawing maps, some advocates suggested that there is a need to monitor the commissioner selection process itself more to ensure that those selected are truly citizen commissioners focused on drawing fair maps. This includes encouraging more people to apply in order to have a larger pool to select commissioners from.
- ✓ **Focus on drawing districts that protect communities of color:** A notable takeaway from the Colorado commissions process this cycle was that it was possible to draw districts to better provide Latinx voters with the opportunity to elect candidates of their choice, but that the commission (particularly the congressional redistricting commission) chose to prioritize creating competitive districts over protecting minority communities.



*Advocates and legislators celebrate the passage of legislation ending partisan gerrymandering in Colorado. From left to right: Jai Rajagopal, Colorado Common Cause; Patrick Potyondy, Colorado Common Cause; Rep. James Coleman; Rep. Kerry Tipper; Karla Gonzales Garcia, Colorado Organization for Latina Opportunity and Reproductive Rights; Amanda Gonzalez, Colorado Common Cause*

## BACKGROUND:

Connecticut's state constitution requires that districts must be consistent with federal standards, districts must minimize town border splits, and representatives must live within their district. The constitution also specifies the multi-step process to be used to draw district lines. Via the bipartisan Reapportionment Committee, the state legislature is tasked with drawing the congressional and state district lines to be approved with a 2/3 majority approval within each chamber. If the Committee is unable to present a set of maps by a certain date, the task falls to a nine-person bipartisan Reapportionment Commission consisting of eight legislators (four Democrats and four Republicans) and one Connecticut voter chosen by the eight legislative leaders. The commission has the authority to both create and approve maps with no further involvement of the whole Legislature. In 2021, the bi-partisan commission was able to agree upon maps for the House and Senate districts. A special master, a third tier of the process, was appointed to create maps for the congressional districts.



Advocacy efforts made by Common Cause Connecticut, ACLU Connecticut, NAACP, and the League of Women Voters of Connecticut (LWV-CT) to advocate eliminating prison gerrymandering were effective and implementation was quick. The enacted reform extends to the reallocation of incarcerated people within state legislative maps.

## OVERALL STATE GRADE: C+

**Lack of transparency:** The Connecticut state constitution stipulates that redistricting must be bipartisan. There are, however, no constitutional requirements related to public engagement. Redistricting in Connecticut has been conducted largely behind closed doors. For instance, public hearings were held only at the outset of the process. The public saw maps only after they had been approved by the Reapportionment Commission and were not adjustable. This led advocates to feel that their voices were not taken into significant account.

**Lack of accessibility:** The state legislature did a poor job communicating updates regarding the redistricting process to members of the public. Advocates were also unaware of any language assistance options.

## LESSONS LEARNED

- ✓ **Public education and advocacy can make an impact despite roadblocks:** Although organizations like the League of Women Voters of Connecticut (LWV-CT) hosted education events and provided testimony, its reach was hampered by the COVID-19 pandemic and by issues systemic to the redistricting process itself. The League noted that the lack of transparency and accountability created an intentionally opaque process with a correlative lack of public awareness. Nevertheless, one success from this cycle was the media coverage LWV-CT was able to garner through ongoing Letter to the Editor campaigns and media interviews during the redistricting cycle. Networking efforts also led to ongoing collaborations, including one with the Trinity College experts as described below.
- ✓ **Modern mapping tools and analysis to guide districting decisions should be used:** The LWV-CT contracted with experts from Trinity College to conduct an ensemble analysis<sup>21</sup> to assess the role of incumbency in redistricting. The analysis shows that “about 52% of the statistically generated or “model” maps included a single incumbent. In contrast, about 97% of the maps adopted by the

bipartisan commission had a single incumbent.” The use of ensemble analysis confirmed suspicions of intentional mapmaking patterns that favor keeping incumbents in power. The ensemble analysis method can generate thousands of theoretical district maps that adhere to the requirements of population equality and minimization of town border splits. This can be cross referenced to see where incumbent addresses lie in these theoretical, model maps and be used to record partisan gerrymandering attempts in the future.

- ✓ **The redistricting process should be brought into greater public view:** Despite public hearings, much of the current redistricting process is still accomplished behind closed doors. Greater transparency is needed throughout the process including, but not limited to, establishing a delineated set of steps prior to adopting maps, publishing draft maps, and soliciting public input before final acceptance.
- ✓ **Work must start now to increase public education and advocacy on reform measures:** Given the many competing priorities held by legislators, community members, and organizations, work must start now to ensure momentum to pass redistricting process alternative measures (such as independent redistricting commissions) continues ahead of 2031.



## BACKGROUND:

Delaware's state legislative districts are drawn by the legislature. The governor can veto any maps and the legislature can override any veto with a three-fifths majority. In addition to the VRA requirements, the Delaware constitution also requires that districts are contiguous and not "unduly favor any person or political party."<sup>22</sup> In 2010, the state passed legislation ending prison gerrymandering.

In Delaware, advocacy organizations convened around the Fair Maps Coalition. Through extensive advocacy, the legislature accepted maps created for communities of interest for consideration. In previous years, legislators offered no opportunities for public map submissions.



## COMMUNITY OF INTEREST STORY

This cycle, the League of Women Voters of Delaware submitted maps to the legislature. Despite having a newfound opportunity to submit maps, advocates felt that legislators did not give those maps serious consideration. One advocate expressed that the legislature already knew what the new districts would look like ahead of time and that they had been drawn prior to any public hearing. This left the public and coalition feeling deflated and wanting to see additional reform ahead of 2031 to ensure that public input is actually considered.

During local redistricting in Wilmington, community-drawn maps were considered. The final state maps drew district boundaries around incumbents despite the constitutional requirements that district mapping cannot unduly advantage any party or person. This requirement was raised by the Fair Maps Coalition in several meetings but was dismissed by legislators who interpreted the language differently. The final district maps complied with the Voting Rights Act, so the coalition decided not to pursue litigation.

## OVERALL STATE GRADE: C-

*"They blatantly drew the districts around incumbents when that's against the constitution." - Claire Snyder Hall, Common Cause Delaware*

**Incumbency protection:** The Fair Maps coalition was not as successful as they hoped in avoiding drawing district boundaries based on incumbent addresses - by and large, the General Assembly adopted a few changes from the prior maps and protected incumbents in every remaining district. The maps were generally unchanged from prior cycles, despite more compact alternatives that would have kept more communities of interest, particularly municipalities, intact. Incumbent protection appeared to trump protecting communities of interest or consideration of public testimony.

**Inadequate public hearings and commission transparency:** Public hearings were limited and community members were not given sufficient time to evaluate proposed maps or have alternatives considered in



public debate. As a result, there were few people, outside of the Fair Maps coalition, that participated in the process. The legislature created a website for redistricting communications, but all public hearings received minimal notification and the proposed maps were not publicized. The published draft maps were difficult to read and the coalition spent an entire weekend reviewing the various maps in order to be able to provide thoughtful testimony during the remaining public hearings. In Delaware, public comments are limited to two minutes and advocates expressed frustration that it did not feel like the legislative body was interested in any of these public comments.

**Lack of strong coalition support:** Delaware has a history of noncompetitive elections which has led to minimal participation in the democratic culture. It was challenging for the Fair Maps coalition to engage communities and create a narrative around why participation in the redistricting process is important. Events created by the coalition were sparsely attended and organizers felt that people were extremely fatigued by the ongoing pandemic and the political environment.

## LESSONS LEARNED

- ✓ **Increased use of technology improved access:** The Fair Maps coalition was successful in advocating for the creation of a public redistricting website to house draft maps and public hearing information.
- ✓ **This cycle had increased opportunities for public input:** The 2021 redistricting cycle offered more opportunities for the public to engage during the process. The general assembly offered three public comment hearings throughout the process. The last cycle was a completely secretive process with no public input, so this cycle was more successful in terms of transparency. However, the public hearings were pretty limited in terms of access, such as giving people advanced notice and actually listening to testimony.
- ✓ **Advocacy must continue for the creation of an independent redistricting commission (IRC):** During the 2017 legislative session, state Senator Bryan Townsend (D) introduced a bill to establish an IRC ahead of 2021 but the bill was killed during legislative session. The sponsor remains interested in carrying legislation in the senate and recognizes that such advocacy must continue. In addition, Kyra Hoffner, a leader in the Fair Maps Coalition, was elected to the senate in 2022 and is interested in adding momentum to this effort. Additional work is required to ensure that there is a path forward for this proposal. The coalition will remain involved in public education and advocacy for the creation of an IRC in hopes that the political will may change in time to create a functioning commission.
- ✓ **Build media relationships to increase press awareness of the process:** The media was not interested in covering stories about redistricting nor the public hearing process. Some national press releases received attention from local outlets, but this is an area that could use improvement ahead of 2031. Local press releases and testimony during hearings from state-based organizations did not receive attention. The coalition may need to reconsider a different communications strategy for future redistricting cycles that is more effective at meeting the average voter and builds ongoing relationships with reporters to tell a compelling story about the impact redistricting has on the state.
- ✓ **Robust public education and outreach is necessary:** Despite the challenge in engaging communities around redistricting, the final maps were marginally improved by public participation in 2021. The coalition has recognized that more work could have been done to engage and maintain public interest in the redistricting process. Understanding the many hurdles facing the 2021 cycle can guide outreach efforts moving forward. This includes starting earlier on public education, and for redistricting to be included in future conversations to better prepare communities for 2031.



## BACKGROUND:

Florida's state legislative and congressional maps are drawn by the state legislature. Congressional maps are subject to a gubernatorial veto. Although the state legislature adopted state and congressional maps in early 2022, Governor Ron DeSantis vetoed the congressional map. This forced the legislature to return in a special session to adopt his map proposal.



This cycle, the redistricting process in Florida was mired in challenges. The legislature was already secretive about maps even before the governor subverted the process and forced adoption of a map drawn with no public input. The enacted congressional map is currently subject to both state and federal court challenges, with the state case challenging the map as a violation of the Fair Districts Amendment of the Florida Constitution and the federal case challenging the plan as a violation of the 14th and 15th Amendments to the U.S. Constitution.

A survey respondent emphasized that the "Fair Districts Amendments were not adhered to." The federal case, *Common Cause v. Byrd*, highlighted that the Governor "bullied the Florida Legislature into adopting [the] congressional map" that discriminated against Black Floridians by breaking up Black communities across the Panhandle.

## COMMUNITY OF INTEREST STORY

Prior to the current enacted map, Florida's 5th congressional district in Northern Florida was a critical district for Black Floridians, encompassing one of the largest and historic Black communities in the state. During this cycle while the state legislature was drawing the congressional map, they made efforts to comply with the state's constitution and the Fair Districts Amendment by preserving this Black opportunity district across the northern part of the state, efforts that drew opposition from the governor.

Upon the first passage of a congressional map, the governor quickly vetoed the state legislature's plan precisely because it did provide for some opportunity for Black representation. The legislature soon surrendered to the governor's demands to break up this Black opportunity district, passing the governor's proposed map that was created with the intent to destroy this historically performing Black district.

By doing so, Florida has enacted a congressional plan that was adopted for the purpose of disadvantaging Black voters, despite the opposition from organizations in the state and the communities in the region. The governor's plan "cracked" the Black population in Northern Florida, breaking these communities up into new congressional districts with far larger white voting-age populations. This map is now subject to litigation in both state and federal court.

## OVERALL STATE GRADE: F

*"They failed to be transparent... our legislature essentially allowed our governor to take over this process. So the redistricting process did not result [in] the best for Floridians; it was a political game."*  
– Moné Holder, *Florida Rising*

**Limited public input:** In accepting public input in the process, one community leader remarked that “they were awful. Historically... there were these listening sessions that happened. The Governor and his party... decided that they wouldn’t do any of that. So we were responsible for [it].” This cycle, the only possibility of public testimony came during legislative committee meetings in Tallahassee. Advocates reported that this made it difficult for people to come from as far as 500 miles away to provide testimony. In addition, due to the large number of participants and a limited public input period, most testimony was cut short. Advocates ultimately found that the testimony or public input provided to state legislators were not reflected in the final adopted maps.

**Lack of public education:** The state did not provide sufficient information for the public to understand the process and consequences of redistricting in Florida. Information was largely provided in only English, denying access to the diverse communities across the state. Additionally, the lack of public hearings across the state prevented the public from learning about the redistricting process and providing input regarding their communities.

**Lack of transparency:** Even the legislature’s gestures toward transparency, such as having limited hearings and an online mapping tool with limited functions, were rendered meaningless by the governor’s rejection of the legislatively drawn congressional map and call for a special session to implement a map that advocates have criticized. No opportunity for public engagement or input was provided for the congressional map presented at the special session. One community leader remarked, “it was unprecedented to have a Governor insert himself into the redistricting process the way Ron DeSantis did.”

## LESSONS LEARNED

- ✓ **Build a robust coalition across the state:** Advocates spoke positively of the statewide coalition that came together and was able to provide public input where possible, educate communities on the ground, and draw attention to the many problems that arose throughout this redistricting process.
- ✓ **Advance efforts at the local level:** While there was a coordinated effort at the state level to address state legislative and congressional redistricting, local redistricting advocacy was more region-specific and depended on the capacity of local organizations. Advocates reported some success in various parts of the state in moving the needle to more transparent processes and better maps, but that was not uniform.
- ✓ **Begin the advocacy and education cycle earlier:** All advocates recognized the need for continued engagement and education between redistricting cycles. This includes looking at how the most recent redistricting cycle impacts local communities now, as well as starting the actual public education and coalition-building work earlier to be ready when the state begins its processes. One advocate said, “We don’t want to have to always start from scratch in our advocacy and our engagement.”
- ✓ **Train on mapping and communities of interest:** While there was no unified mapping software used this cycle by advocates, some organizations used various tools to draw draft maps. They suggest that training on redistricting mapping tools happen earlier so communities are ready to provide input when the time comes. Additionally, training on what defines a community of interest should be ongoing between redistricting cycles so people are prepared when community of interest or draft maps are needed.
- ✓ **Focus on the census:** Some advocates pointed to the need to devote resources and begin this work around the census count and not wait until redistricting happens. This will help to ensure that communities are properly counted and provide momentum for more effective redistricting efforts.



## BACKGROUND:

In Georgia, redistricting is controlled by the state legislature through a joint Redistricting and Reapportionment Committee. A local redistricting bill, SB 177, passed in 2019 and requires that all local redistricting bills for school boards and board of commissioners pass through the state legislature and the Legislative and Congressional Reapportionment Office.



## COMMUNITY OF INTEREST STORY

Powder Springs and Austell, two cities in metro Atlanta with majority Black populations and significant populations of people of color, were drawn into CD-14, a predominantly white and rural congressional district in northwest Georgia represented by Representative Marjorie Taylor Greene. When residents of Austell and Powder Springs found out they would be lumped into a district with interests vastly different from their own, they came out in droves to public hearings held by the legislature to protest against this move. Residents argued that they could not be represented by this configuration of CD-14. Despite significant turnout and organized testimony by residents of color in the area, the state legislature carried out the redrawing to put their communities in CD-14, splitting them from other metro Atlanta voters.

## OVERALL STATE GRADE: D

**Many opportunities for public comment but input largely ignored:** There were definite improvements in opportunities for public input from 2010, and the legislature did provide public hearings throughout the state that allowed for public comment. However, most of these hearings were held before Census data came out and no draft maps were released until after the listening tour was over. There was also no language access provided for non-English speaking Georgians who wished to participate.

**Community of interest (COI) maps and unity maps were not considered:** The state provided no option to upload COI maps or unity maps to the public input portal. Groups were able to submit COI and unity maps directly to legislators or through a legislative sponsor, but advocates stated these maps were not remarked upon nor given a meaningful response in committee.

**Lack of transparency in decision making:** Advocates and community members created maps, testified, and submitted COI maps to the legislature but felt they were sending them into the ether. There was no clear process for legislators to respond to maps received or show what input they took into account, and the public was given little opportunity to comment on draft maps before they were passed.

## LOCAL GRADE: F

**State overreach of local elected officials:** With the 2019 passage of SB 177, all local redistricting legislation must go through the state legislative delegation in Georgia. In key urban metro areas, there were attempts by the state legislative delegation to usurp local authorities' efforts for a more fair and transparent process to force implementation of their own maps. This received the most attention in Cobb, Augusta-Richmond, Athens-Clarke, and Gwinnett Counties.

**Lack of transparency and rushed efforts:** One advocate described the county-level process as an "onslaught

and ambush”. Almost all local maps passed during the legislative session for the 159 counties in Georgia without public local hearings and without the public seeing the maps.

**Advocacy community stretched thin:** Given the sheer number of counties in Georgia and the speed with which local maps were passed, it was difficult for the advocacy community to catch all local redistricting issues.

## LESSONS LEARNED

✓ **Successful mobilization is possible despite push-back:** Advocates were successful in mobilizing and educating thousands of people to get involved in the redistricting process this cycle. Many stated that they believed this made it harder for the legislature to make blatantly racist or political decisions and forced them to temper their gerrymandering to some extent. Multiple advocates also spoke to the improved redistricting ecosystem this cycle and better coordination between c3 and c4 groups. Public participation was also made easier by access to technology and virtual tools as well as free mapping tools that advocate groups used to reach communities.

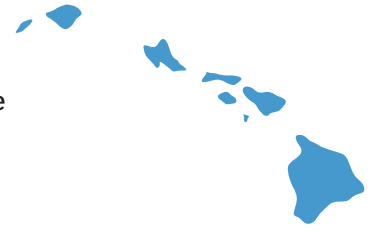


- ✓ **Leverage existing relationships and focus on local issues:** Building on existing partnerships and connections for trainings provided advocates with great success and the ability to reach people with redistricting messaging. Messaging was especially effective when it tied redistricting to kitchen table issues and local issues for communities.
- ✓ **More alignment between advocacy and legal groups is needed:** Multiple advocates spoke to the difficulty of alignment between different advocacy and legal groups. Some stated that legal groups were unwilling to coordinate fully with on-the-ground advocacy groups. Georgia has very quickly launched into the political spotlight. With this, there is great need for integrating advocacy, lobbying, education, and litigation efforts. Having more people liaising between c3/c4 groups and legal groups could greatly strengthen redistricting efforts and make work easier for everyone.
- ✓ **More redistricting technicians are needed:** Advocates spoke to the need for more redistricting data, mapping, and legal experts in Georgia to focus on the specifics of legal language, mapping, and technical redistricting questions. This would be especially helpful for local level redistricting questions and concerns.
- ✓ **Media training and help with media engagement is needed:** Many organizers spoke of the need for additional media training, especially to get stories placed in harder to reach areas. Multiple advocates spoke of the need for media relations training for the coalition in pitching stories to reporters and for more messaging resources to use in coalition - e.g., sample press releases, op-eds, letters to the editor, etc.
- ✓ **Focus on the local:** Advocates were so busy with state and congressional redistricting but expressed a need for more resources to monitor and organize around local redistricting. People often have very specific local questions based in their area - like who to talk to on their city council, and local knowledge and organizing is extremely important for being able to engage people in redistricting in the future.



## BACKGROUND:

In Hawaii, a nine-member commission composed of politicians draws both the congressional and state legislative districts. The members are selected by legislative leaders of both chambers of the state legislature.



## COMMUNITY OF INTEREST STORY

In 2021, the Native Hawaiian community of Waimanalo came together to voice their concerns about state house map proposals that would have placed them in a district with the wealthy, predominantly white neighborhoods of Hawaii Kai and Portlock. The concerns of native Waimanalo residents about affordable housing and displaced families were different from those of Hawaii Kai, where million-dollar homes are the norm. Waimanalo residents showed up in force, wrote letters, and testified about their community - and they were heard. Over 100 oral and written pieces of testimony were submitted. One organizer stated: “The community actually engaged. In the final version of the map, that particular district was fixed. The community was very happy [...].”

## OVERALL STATE GRADE: B-

**Limited public input opportunities:** Although the meetings were accessible (most provided access virtually), they did not allow for meaningful opportunities for the public to comment. Maps were made public right before meetings, which did not allow for adequate time to review them thoroughly. Further, at Oahu Island hearings, people could comment only at the beginning of each hearing. Only Hawaii Island allowed people to listen and comment as each agenda item was discussed.

**Lack of transparency:** Most discussions about the specific details of the maps were not held publicly. Even though the maps were posted publicly and public comment was permitted, many commission meetings were held behind closed doors. As a result, one advocate noted that public distrust in the government was high.

## LESSONS LEARNED:

- ✓ **Increased modes of participation make a difference:** Due to the pandemic, many public meetings were held virtually and were also recorded and posted online. This granted more people the ability to participate, especially working families strapped for time.
- ✓ **Governmental bodies must invest in outreach and early redistricting engagement:** Advocates felt they shouldered the burden to conduct public outreach and education. A state-led, robust outreach program - begun early in the redistricting cycle - would enable more people to engage in the redistricting process and relieve this added burden on community organizations.
- ✓ **Draft maps need to be posted with adequate time to review:** Advocates noted the fact that maps were made public right before meetings were held, which did not allow for adequate time to review them and give thorough feedback. Maps should be made available days in advance of meetings to provide sufficient time for review and stronger public input.



## BACKGROUND:

Idaho's congressional and legislative redistricting processes are conducted by a six-person commission. The majority and minority leaders of the state house and senate each choose a member, and the chairs of the two largest political parties jointly select one member.

### COMMUNITY OF INTEREST STORY

Native American communities across the state expressed significant frustration with the failure of the commission to respect Native communities. Despite a strong effort from organizers (such as Indigenous Idaho Alliance and Western Native Voice) in mobilizing members of the community to get involved in the redistricting process and legal action, ultimately the redistricting commission expressed that the constitutional requirement to keep counties whole trumped respect for sovereign Tribal Nations to keep reservations whole. The Coeur d'Alene and the Shoshone-Bannock tribal communities have fought since 2001 to keep their communities within one legislative district. In the recently passed map, they are split into two and three districts, respectively.

## OVERALL STATE GRADE: D

**Lack of receptiveness to public feedback:** As expressed in the COI story above, Native American communities across the state expressed significant disappointment and frustration in the lack of responsiveness to their desire to keep their communities whole.

**Mixed access to participation:** While some organizers appreciated the state's redistricting website, others noted that it was not easy to use. Additionally, communities with limited internet access, such as many tribal communities, could not take advantage of this resource. For those who could, the online options to watch hearings were helpful, but the hearing schedule was not posted in a timely manner to afford people time to plan to attend. No meetings were held on reservations. Additionally, there were no resources for those with limited English proficiency to participate.

## LESSONS LEARNED:

- ✓ **The work continues to keep tribal lands whole:** Native communities fought arduously to keep their communities together, but found the commission used the county cohesiveness redistricting criterion to justify splits. Idahoan legislators must prioritize tribal boundaries within the state's redistricting criteria. Fort Hall Business Council lead attorney Bill Bacon expressed frustration with the current procedure: "The only way that the Shoshone-Bannock Tribes are going to feel that we're properly represented is by making sure that we're collectively in the same area, with proper representation."<sup>23</sup>
- ✓ **Redistricting commissioners should be selected to represent the diversity of Idaho:** Notably, there were no people of color on the redistricting committee. It is crucial for committee members to represent a myriad of communities across the state in order to uplift the concerns and needs of all Idahoans.
- ✓ **Materials should be provided in other languages:** This cycle, all redistricting resources and public hearings were provided and conducted in English. However, over one in ten Idahoans speak a language other than English at home,<sup>24</sup> and 8% of the population over the age of five speaks Spanish.<sup>25</sup> Resources in multiple languages must be provided to make participation as accessible as possible.

**BACKGROUND:**

In Illinois, the state legislature draws congressional and state legislative districts through the normal legislative process, subject to a gubernatorial veto. Illinois legislators used the redistricting process this cycle to protect a Democratic supermajority in the legislature and squeeze one additional Democratic congressional district out of the map despite the state's loss of one U.S. House seat post-census. Reformers have attempted to put ballot initiatives creating independent citizen redistricting commissions in front of the voters twice in the last decade. Both times, Democratic political leaders won favorable rulings from the Democratic majority on the Illinois Supreme Court. The court struck the measures due to their assignment of responsibilities to the attorney general and other executive branch officials. This violated the state constitutional requirement that initiatives must only address "structural and procedural subjects contained in Article IV" of the Illinois Constitution, which describes the powers of the legislature.

**OVERALL STATE GRADE: F**

Illinois represents a nearly perfect model for everything that can go wrong with redistricting. As Jay Young from Common Cause Illinois stated, "legislators made it very difficult for the public to give input." Most hearings were scheduled during the workday and, as Madeleine Doubek from CHANGE Illinois noted, "there was little done to advertise and promote the hearings." Very few members of the public participated in the hearings. There was virtually no language assistance and some locations were not compliant with Americans with Disabilities Act requirements to provide equal access to participation.

In May of 2021, House Speaker Chris Welch's staff previewed districts for Democratic House members behind literal locked doors on the Capitol Complex grounds. Legislators simply did not expect anyone to show up because they had not encouraged or made it convenient for people to do so. The Legislature initially used American Community Survey data to draw new state legislative districts before the Census Bureau released census data to the states. The resulting maps drew a lawsuit from Lawyers' Committee for Civil Rights Under Law, Chicago Lawyers' Committee for Civil Rights and Cooley LLP on behalf of the East St. Louis Branch of the NAACP, the Illinois State Conference of the NAACP (Illinois NAACP), and the United Congress of Community and Religious Organizations (UCCRO).

The lawsuit alleged that the legislature's Democratic leadership diluted the voting power of Black voters in East St. Louis to protect Democratic incumbents. The legislature ultimately prevailed in this lawsuit, but not because no harm to the Black community was found. Instead, the court ruled for the legislature because, as the Lawyers' Committee described it, "Illinois lawmakers' guiding motivation was political and partisan and thereby shielded from constitutional review despite the impact on Black voters." The state legislative maps also drew condemnation and a lawsuit for its reduction in Latinx opportunity districts despite a 15 percent increase in the state's Latinx population. As Mexican American Legal Defense and Education Fund (MALDEF) president Thomas A. Saenz stated when a federal court upheld the districts, "the court reached conclusions about the extent of crossover voting by non-Latinos to support Latino-supported candidates that are not accurate under the law."<sup>26</sup>

## **LESSONS LEARNED:**

Gold standard reform like the creation of an independent citizens redistricting commission is challenging in Illinois due to the limitations of its ballot initiative process and an entrenched legislature. However, the failures of this cycle's process point to more achievable but still important reforms that can help make the process more transparent and accessible. These could include advocacy for the following:

- ✓ Hearings that take place after work hours;
- ✓ Greater language assistance;
- ✓ Increased accessibility for individuals with disabilities; and
- ✓ Nonpartisan criteria for drawing districts that could survive state constitutional restrictions on ballot initiatives like a strict prohibition against partisan gerrymandering and making communities of interest a higher priority.

Although the landscape for reform is challenging in Illinois, there are important lessons learned from this cycle and previous legal fights that can provide a path forward for improvement.



## BACKGROUND:

In Indiana, the General Assembly draws congressional and state legislative districts as regular legislation, subject to a gubernatorial veto. The process for drawing congressional districts includes a backup provision to convene a politician commission in the event of a deadlock, but that provision was unnecessary this cycle.

Indiana's redistricting reform coalition, All IN For Democracy, created the Indiana Citizens Redistricting Commission (ICRC). The ICRC was a model commission designed to demonstrate how a transparent and nonpartisan redistricting process should operate. The ICRC included an equal number of Democrats, Republicans, and independent voters. The commission's strong conflict-of-interest restrictions prohibited political insiders and their close relatives from serving. Commissioners consulted the public to establish nonpartisan criteria for drawing districts that prioritized the needs of Indiana's communities. The ICRC then led a public mapping contest and selected a winner based on those criteria to propose to the General Assembly. Although the redistricting process run by the General Assembly was secretive and partisan, this organizing engaged the public in the mapmaking process and prevented some communities from being split.



## OVERALL STATE GRADE: D

**A clear partisan gerrymander:** With overwhelming Republican majorities in both houses of the Indiana General Assembly and a Republican governor, fair maps advocates faced an uphill struggle to make their voices heard. The legislature ultimately drew and passed maps that focused primarily on maximizing the number of districts that Republicans would win.

**Playing an active role in the process:** Despite a partisan process, fair maps advocates were active participants in redistricting hearings and were a much greater and more vocal presence than before thanks to the ICRC and other organizing. Julia Vaughn of Common Cause Indiana stated that "even legislators had to admit that the level of public discourse this time was far greater than it had been in previous cycles." She added that "we furthered our cause within the legislature for reforming the process and helped a lot of individual communities around the state get better representation." Phillip Goodchild of the Indiana Friends Committee on Legislation stated that advocates were successful "in raising public consciousness about the importance of redistricting and educated many in our community and beyond in the importance of participating." He added that they "got more individuals involved in lobbying efforts and redistricting coalition events," which he believes laid important groundwork for the next cycle.

**Legislators made it difficult to participate:** Legislators erected structural barriers that made it more difficult for the public to tell the story of their communities. Ranjan Rohatgi, an ICRC commissioner, noted that legislators only held "a single public meeting in the middle of the day on a weekday to take public comment on their proposed house map." Although pre-mapping feedback is important, allowing the public to provide comments about a draft map can often be more productive because critiques can be detailed and specific. Another ICRC commissioner, Chip Taylor, added that legislators "had a small number of public hearings at times that are difficult for many people to attend" and that people "could watch, but not participate online."

**Advocates scored some important wins:** Despite the challenge of one-party control of redistricting, activating community members to get involved played an important role in several victories at the local level. For example, the 2011 drawn maps divided the Cambridge Square Apartments in Fort Wayne into



four Indiana House districts and the small town of Greencastle was divided between two Indiana Senate districts. In both cases, advocates pointed to the maps the ICRC selected in the mapping contest and submitted them to legislators to demonstrate how these communities could be kept together. The 2021 maps passed by the General Assembly addressed both communities' concerns.

## LESSONS LEARNED:

As in many states where legislators control redistricting, the process in Indiana was plagued by secrecy and indifference to public input. Indiana's lack of a ballot initiative process makes sweeping change challenging in the immediate future. However, there are some steps to start or continue toward reform.

- ✓ **Create a culture of support for citizen-led redistricting at the local level:** All IN for Democracy played a key role in creating a citizen-led redistricting process in the city of Bloomington for its city council districts and a model commission for Marion County. These efforts could have an even greater impact in the less partisan arena of local government.
- ✓ **Fix discrete problems with the legislature-led process:** Pushing legislators to make participation and public input more convenient is an impactful reform that is achievable in the next redistricting cycle. This could include improvements in transparency and public participation. Reforms should require hearings after a draft map has been drawn, meetings to be held at hours that allow the public to participate in providing feedback, and virtual attendance options.



*All IN for Democracy packs the Indiana State Legislature to advocate for fair maps.*



## BACKGROUND:

Since 1980 in Iowa, the congressional and legislative plans have been drawn by the state's nonpartisan Legislative Services Agency (LSA) with input from a five-member Temporary Redistricting Advisory Commission (TRAC). The commission is composed of four members selected by the majority and minority floor leaders of the General Assembly, and the fifth member is selected by the aforementioned members. The TRAC was established to administer and coordinate public hearings and input on the LSA's proposed plans. The maps are enacted by the Iowa General Assembly, subject to the governor's veto. If they fail to enact legislative plans, the responsibility falls to the Iowa Supreme Court.



In 2020, the Iowa legislature rejected the first set of maps proposed by LSA and the advisory commission. These maps were criticized as a “radical realignment of the state’s political dynamics.”<sup>27</sup> The legislature subsequently approved the second set of maps which aligned more closely to the state’s 2010 congressional maps. These maps were signed into law by Governor Kim Reynolds on November 4, 2021.<sup>28</sup>

## OVERALL STATE GRADE: B

### LESSONS LEARNED:

- ✓ **Opportunities for public input need to be expanded:** Organizers noted progress with the amount and quality of public outreach this redistricting cycle compared to past cycles. In particular, they expressed satisfaction with the state redistricting website and the virtual public hearings, during which over 250 public comments were submitted.<sup>29</sup> However, advocates still noted that there was room for improvement. For example, this cycle, the Temporary Redistricting Advisory Commission only held three virtual public hearings, and advocates expressed that there should be more hearings in the future. Further, while organizers expressed satisfaction with the LSA’s map-drawing, it is recommended that the LSA allow public input in the form of publicly submitted maps. This would allow for the public a more direct opportunity to engage the LSA on actual map-drawing and provide direct feedback during map drafting.
- ✓ **Consider communities of interest as a criterion:** The current criteria for redistricting used by the LSA does not consider communities of interest. The state criteria do not allow consideration for self-identified groups of individuals who have similar legislative concerns, and who might therefore benefit from cohesive representation in the legislature. Future cycles should adopt communities of interest as part of the redistricting criteria.

## BACKGROUND:

Kansas' congressional and state legislative lines are drawn and passed by the legislature and are subject to gubernatorial veto.

This cycle, Governor Laura Kelly vetoed the congressional redistricting map presented by the state legislature, finding it diluted minority voting strength and unduly divided Wyandotte County and several Hispanic neighborhoods in Kansas City.<sup>30</sup> In response, the state legislature voted to override the veto. A lawsuit was subsequently launched, and a Kansas state court judge ruled the map unconstitutional. After Secretary of State Scott Schwab appealed the decision to the Kansas Supreme Court, the ruling was reversed, with the high court finding the map in compliance with the state constitution.



## COMMUNITY OF INTEREST STORY

This cycle, significant community effort was made to advocate that Wyandotte County - home to Kansas City - be kept whole within a district. With approximately 165,000 people, the county could be placed wholly within a single congressional district with more than 700,000 people. With a population made up of approximately 60% people of color, Wyandotte is also one of the few counties in Kansas that is not majority white.<sup>31</sup>

Unlike the court-drawn maps of the 2000's, the legislature enacted a congressional map that split Wyandotte County into two districts.<sup>32</sup> Organizers thought partisanship motivated the splitting of Wyandotte, specifically, to dispossess Wyandotte voters who had elected a Democrat by cutting off parts of Wyandotte to be submerged with the more heavily Republican, rural District 2. One organizer recalled that the former senate president brazenly stated to a group of Republican colleagues that they should draw a district to kick out the sole Democratic congressperson from her seat.<sup>33</sup> Despite losing their case at the Kansas Supreme Court and failing to keep the legislature from splitting Wyandotte, organizers are committed to continuing the fight. As one interviewee stated: "We built lasting power structures that we will take into the future. We didn't win on our partisan and racial gerrymandering claims, but the fight keeps going."

## OVERALL STATE GRADE: D-

**Lack of opportunities for public participation:** Organizers expressed a litany of complaints regarding the public participation process. The state legislature did a listening tour in a handful of places across the state; however, they gave little notice about the meeting dates and conducted many before the 2020 census data was released. Further, the legislature released a complex set of rules after the hearings began regarding how to submit public testimony; these rules were incredibly difficult to navigate. As Connie Brown Collins of the Voter Rights Network of Wyandotte County noted, "public hearings were rushed" and "all hearings across the state were compacted into five days." She added that the hearings were a "farce" because legislators were looking at their phones and not interested in the public input they were receiving. People were prohibited from submitting redistricting plans unless they were state-wide (that is, all districts in the state had to be

mapped), which required a skill level that was not accessible to many people. Those who were able to submit maps were often professionals who had previous knowledge of redistricting and map-making.

**Lack of transparency:** Organizers felt there was little to no transparency in the process. Aside from the short notice on hearings and complex rules in submitting public testimony, the maps that were released were difficult to understand and did not have enough detail for the geographies to be properly discernable. One organizer expressed: “I didn’t know if I agreed with the map or not because I couldn’t read it.”

**Partisanship:** Advocates felt legislators were more interested in gaining partisan advantage than producing fair maps. Attempts to gerrymander maps were brazen and out in the open. As noted previously, the legislature diluted the votes of Wyandotte County by splitting it and joining it with a heavily Republican rural district.

## **LESSONS LEARNED:**

- ✓ **Establish an independent redistricting commission:** Kansas’ redistricting process this cycle was marred with partisan bias and made no serious effort to incorporate public feedback. Advocates recommended a statewide push for an independent redistricting commission (IRC) to take the power of drawing lines away from the state legislature. IRC’s often lead to maps that are more fair and less partisan than those drawn by politicians.<sup>34</sup>
- ✓ **Provide full transparency in the process:** Unnecessarily complex rules for participation and a lack of transparency in the map-making process characterized this redistricting cycle. Advocates recommended that the legislature give the public clear guidelines for participation well ahead of the start of public hearings, and materials (such as proposed maps and district demographics therein) that are clear, concise, and easy to understand.
- ✓ **Create meaningful opportunities for public participation and input:** Despite concerted efforts to participate, organizers were met with a proverbial brick wall. Advocates stated that the redistricting body should allow the public to submit partial district maps and community of interest maps, as full district maps can require a level of skill that is inaccessible to many.

## BACKGROUND:

Kentucky's congressional and state legislative lines are drawn by the legislature and are subject to gubernatorial veto.

The state legislative and congressional maps were approved by the state legislature on January 8, 2022. However, the state house and congressional maps were vetoed by Governor Andy Beshear. The legislature then subsequently voted to override the vetoes, and the house and congressional maps became law on January 20, 2022 while the state senate plan became law the next day.



Kentucky Democrats took the state house and congressional maps to court, where a circuit judge then ruled that neither violated state law. Kentucky Democrats then appealed to the state Supreme Court. As of early August 2023, the case is still undecided.

## COMMUNITY OF INTEREST STORY

Several areas of the state were observed by community organizers to be disenfranchised, most notably areas with large Black populations such as Hopkinsville and Bowling Green. Hopkinsville was divided into two state house districts and Bowling Green was split three times. Both had populations that could have fit within one or two districts respectively.

## OVERALL STATE GRADE: D-

**Lack of opportunities for public participation:** One advocate was uniquely granted the ability to testify, and others could use the mapping software Maptitude at the Legislative Research Commission's library. However, the state did not encourage the submission of maps by the public, nor were there public hearings or opportunities to give public comment beyond sending a letter to state legislators. One advocate noted that at a National Conference of State Legislators convening, members of the Kentucky State House expressed they planned to hold public hearings across the state before drawing maps, however, this plan never materialized.

**Lack of transparency:** Advocates noted that the redistricting process occurred almost exclusively among legislators. State legislators did not allow adequate time to review the proposed maps before voting on them, releasing them less than two weeks before they were approved. Maps were released around New Year's weekend. This, on top of the fact that people did not have many avenues of submitting public comment, greatly hindered the public's ability to track the process and provide feedback.

**Partisanship:** Community organizers felt legislators were more interested in gaining partisan advantage than producing fair maps. One organizer recalled that some legislators had publicly expressed that they had not disenfranchised any incumbents in mapmaking. However, advocates felt that efforts were made to pit Democratic incumbents against one another, and noted that four Democrat legislators, notably all women, were drawn out of their districts.

## LESSONS LEARNED:

- ✓ **Advocacy efforts unite communities on the ground:** Despite the great barriers to participation in the redistricting process, advocates spent considerable energy mobilizing the public to learn about and engage in the process. For example, community organizers with the League of Women Voters of Kentucky conducted over 125 online and in-person presentations with members of the public, educating and engaging over 3,300 people across the state. This group created maps, with the input of the public, that reflected Kentucky's communities of interest, and shared these maps with legislators.
- ✓ **Meaningful opportunities for public participation and input are still needed:** This cycle, the state did not encourage the submission of maps by the public, nor were there public hearings or meaningful opportunities to give public comment on the redistricting process. Opportunities for the public to participate would encourage public trust in the process and give people opportunities to advocate for their communities.
- ✓ **Strengthening redistricting coalition(s) would strengthen participation:** Community organizers expressed the need to start coalition building early on, preferably several years before the redistricting cycle begins. They also expressed the need to start fundraising for this work and to start community of interest advocacy work early on.
- ✓ **Efforts to establish an independent commission must continue:** Organizers worked diligently this cycle to establish an independent advisory commission through legislation, but were left without the opportunity for a hearing, and the effort was curtailed. Organizers must not let momentum wane in the fight for an independent commission.



*“A for effort, F for respecting people.” - M. Christian Green, League of Women Voters of Louisiana*

## BACKGROUND:

Louisiana’s congressional and state legislative lines are drawn by the legislature, subject to gubernatorial veto.

The state legislative maps were signed into law on March 14, 2022. The congressional map was vetoed by Democratic Governor John Bel Edwards, citing the map as “run[ning] afoul of federal law” due to the fact that only one of its six districts are majority-Black despite Black voters making up a third of the state according to the latest decennial Census.<sup>35</sup> The Republican-majority legislature overrode the veto; the map was signed into law on March 30, 2022.



A lawsuit was then filed immediately by the Louisiana State Conference of the NAACP, Power Coalition for Equity and Justice, and nine voters to overturn the congressional map. The U.S. District Court for the Middle District of Louisiana held that the map was racially discriminatory against Black voters and likely violated the Voting Rights Act. The district court ordered the creation of a second majority-Black congressional district. The Louisiana Secretary of State appealed to the U.S. Court of Appeals for the Fifth Circuit and requested that it place a stay on the district court’s order. The Fifth Circuit denied the stay request, and the Secretary of State appealed to the U.S. Supreme Court. SCOTUS agreed to put a temporary hold on the lower court’s order until after it decided *Allen v. Milligan*, a similar case concerning Alabama’s congressional map. On June 8, 2023, SCOTUS ruled that Alabama’s congressional map likely violated the Voting Rights Act and maintained a district court’s injunction ordering the creation of a second majority-Black congressional district. Then, on June 26, 2023, SCOTUS lifted its hold on the lower court’s order in Louisiana and allowed the state’s appeal to move forward in the Fifth Circuit. SCOTUS noted that it expected the appellate court to make its final ruling “in advance of the 2024 congressional elections in Louisiana.”<sup>36</sup> As of early August 2023, the case remains in litigation in the Fifth Circuit.

## COMMUNITY OF INTEREST STORY

Despite unprecedented community turnout and advocacy this redistricting cycle, the process was rife with the disregard of public input and the disenfranchisement of Black voters. Legislative leaders engaged in hostile tactics directed at shutting down dissenting voices. For example, during the Legislature’s special session following a federal court order to redraw the congressional map with two majority-Black districts, the livestream microphone and video was cut as members of the Louisiana Legislative Black Caucus addressed the legislative body, eliminating access to the rest of the meeting for people watching from home.<sup>37</sup> Despite the antagonistic atmosphere, organizers were able to train and engage thousands of people in giving testimony this cycle, and were able to launch a successful lawsuit in the Court of Appeals.



## OVERALL STATE GRADE: D-

**Disenfranchisement of Black voters:** Despite a slew of testimony and advocacy from both the public and Governor Edwards asking for the creation of a second majority-Black congressional district, and even a court order to do so, the state legislature ultimately was steadfast in limiting Black voting opportunity to one district.

**Disregard of communities of interest:** Advocates noted that the term “community of interest” was weaponized against organizers. For example, during federal court proceedings, a demographer testifying for the state produced an analysis which lobbied for a congressional map that outlined the historic settlements of groups in the 18th and 19th centuries, rather than outlining the current dispersal of communities of interest today. While this analysis ultimately was not accepted into the court’s ruling, it did make it into some of the legislative hearings.

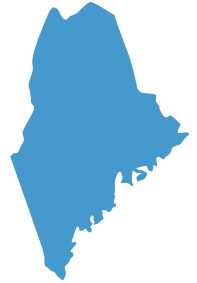
**In-person redistricting events provided some opportunities for feedback:** The state did provide in-person events for the public in most major cities to participate and provide testimony on communities of interest. For example, listening sessions were held across the state in each major city; these were then recorded and uploaded to the state redistricting website. Unfortunately, there was no indication that this testimony was considered in the final maps.

## LESSONS LEARNED:

- ✓ **Unprecedented advocacy efforts uplift communities:** Thousands of people were mobilized and turned out to give public testimony during this redistricting cycle. Organizations such as The Power Coalition for Equity and Justice trained and engaged over 1,000 people statewide to participate and sent over 235 people to the state capitol. Further, the Louisiana Redistricting Coalition submitted to the legislature 11 maps focused on keeping communities of interest together.
- ✓ **Community of interest testimony must be incorporated:** When hundreds of everyday people take time out of their working day to speak to their elected leaders about how they would like to see redistricting take their communities into account, the legislature or any decision-making body should consider the testimony. The legislature, made of people who were elected to represent constituents, should not and cannot disregard the public, the governor, and the courts.
- ✓ **Wider efforts to encourage public participation are necessary:** Advocates noted that the state did not encourage public participation, nor was the public website easy to understand. Most of the outreach efforts were done by community organizations. Further, advocates found that the media did not give sufficient coverage to community organizing efforts. There were also limited virtual options to participate, which organizers noted they particularly had pushed for - both for the public in general and as a disability rights access issue. Notably, on June 9, 2023, Governor Edwards signed into law SB80, written by State Senator Cleo Fields, which codified public access to the redistricting process.<sup>38</sup> Amongst other mandates, it requires live, internet broadcasts of public hearings and requires for all official materials and public testimony presented at hearings to be posted on the official redistricting website.
- ✓ **Language and disability access must be supported:** Nearly 10% of the state speaks a language other than English at home.<sup>39</sup> Yet, all government-led redistricting events were held only in English. An effort to incorporate more languages in outreach efforts would allow for more public participation and more robust feedback. Languages such as Spanish, Vietnamese, and French would be particularly useful in the Greater New Orleans area, for example.<sup>40</sup>

## BACKGROUND:

In Maine, congressional and state legislative districts are drawn by the state legislature, and the process is aided by a 15-member advisory commission. If the legislature does not pass a plan, responsibility falls to the state Supreme Court. In 2021, with the delay of Census Bureau data, the state legislature had a shortened 45-day window to draw new maps. The Maine coalition, led by Maine Voices (MV) and the League of Women Voters of Maine (LWV-ME), expressed that this short timeline did not allow enough time for public feedback. People had very little time to review maps before they were passed into law. The LWV-ME ended up doing all of the public outreach communications because the state and commission appeared to have had no interest in, or ability to, lead this work.



## COMMUNITY OF INTEREST STORY

The coalition did not engage in any statewide COI mapping because the state of Maine has such little diversity that there are no opportunities to draw majority-minority districts. From one coalition member, “In Maine, there is a sense that redistricting is not a contentious issue since it’s approved by a bipartisan committee and therefore gets less public participation and media attention.” In Maine, it takes intentional thinking about how to incorporate fair representation into how districts are being drawn. The legal requirements for communities of interest in Maine are also unclear, which made it hard for communities to engage during the short timeline. Overall, the redistricting coalition did not feel that the commission took COI maps very seriously.

## OVERALL STATE GRADE: B

Advocates felt that although the 2021 redistricting process had many challenges and transparency issues, it was still much fairer and more accessible than in many other states.

**Lack of transparency:** Organizations in the state expressed that throughout the redistricting process, there was minimal transparency for the public. A member of the Maine redistricting coalition expressed that “the commission appeared to keep most of the mapping done in private to keep things collegiate among legislative staff.” The public comment period was late in the process, which meant that any substantive feedback was difficult to incorporate. One organization (LWV-ME) indicated that although transparency could be improved for 2031, the current redistricting procedures include safeguards that ensured the maps were still moderately fair.

**Lack of accessible mapping software:** The state also did not provide accessible mapping software. To address this barrier, LWV-ME created copies of the proposed district maps that people could actually comment on through Dave’s Redistricting App.

**Lack of institutional knowledge within organizations:** The main experienced Maine Voices data analyst was lent out to the state legislature and, therefore, was unable to assist in data support during the bulk of the redistricting process. This analyst worked to prepare organizational partners on the mapping and advocacy process prior to their departure to the state legislature. However, within the broad Maine redistricting coalition, only a handful of people were left afterwards that had prior experience with the state’s redistricting process and advocacy.

**Condensed timeline after 2020 census data release:** The 2020 census apportionment data delay significantly impacted Maine. The state ended up having one of the shortest redistricting periods in the country - just 45 days, which did not leave sufficient time for advocacy and education.

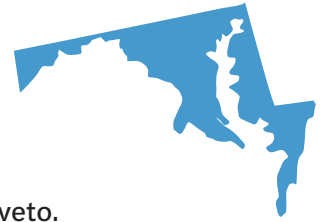
## **LESSONS LEARNED:**

- ✓ **Public pressure can work:** Throughout the redistricting process, LWV-ME advocated for stronger public access and transparency and achieved significant gains from advocacy work. The commission did not initially have an option for the public to contact members until advocacy from the LWV-ME resulted in the posting of an email address to receive public comments on the webpage. Halfway through the redistricting process, the coalition posted an op-ed to highlight that there had not been any scheduled hearings. Within days of that op-ed, the commission published several virtual hearing opportunities for community input. In another example, the state House tried to pass maps during an initial review meeting. The LWV-ME testified to encourage giving more time for the public to weigh in on proposed maps, and this resulted in a vote to extend and allow one public comment hearing before passing the maps. The LWV-ME also used press releases to “call out” the state House and Senate commission for their lack of public transparency.
- ✓ **National organizations have a support role to play:** The Redistricting Data Hub (RDH) provided great data to the state and served as a model for how a national group could provide real, tangible support to local organizations. The data and analysis through RDH were valuable and could be used throughout the decade for other advocacy purposes.
- ✓ **Coalitions need to be strengthened:** Advocates indicated that the state had a very small coalition with many organizations new to the topic of redistricting. Will Hayward, from the LWV-ME, noted that “partners expressed interest and attended meetings but did not have the tools necessary to take action. This was a new topic for the coalition that we should spend more time expanding before 2031.” Some coalition calls started in early 2021 but did not continue.
- ✓ **Timeline changes should be anticipated and the process must start earlier:** The Maine Voices staff noted that with the Census Bureau data delays, the state had 45 days to complete the redistricting process and approve maps. As mentioned above, this ended up being one of the shortest timelines of any state. Because there were no statutory requirements for public hearings, they often happened very late and provided minimal ways for the community to provide input. Further, the poor statewide census completion rates had a large impact on what was possible during redistricting. According to Lydia-Rose Kesich of Maine Voices, “community organizing around redistricting needs to start earlier and engage a wider variety of stakeholders initially around the 2030 census.” Organizers also indicated that areas of the state may have been able to create a Black majority district if the census response had been stronger in 2020; the coalition is planning to engage more around the 2030 census to combat this issue in the future.



## BACKGROUND:

Maryland's state redistricting process for state legislative lines begins with the governor submitting a proposed plan at the start of the legislative session, which the state legislature can adopt, change, or ignore. If the state legislature does not pass new redistricting lines within 45 days, the governor's state legislative maps are enacted. Congressional maps, on the other hand, are drawn by the state legislature as a typical state statute through the standard legislative process and are subject to the governor's veto.



In the 2021 cycle, the governor created an advisory commission to assist with drawing congressional and state legislative lines that would be submitted to the state legislature. The General Assembly rejected the governor's maps and passed separate maps that were upheld by state courts. The legislature also proposed congressional districts that were vetoed by the governor. Despite overriding the gubernatorial veto, state courts rejected the maps as unconstitutional partisan gerrymanders. New maps were quickly passed by the General Assembly and signed into law by the governor, which ended the challenge to the congressional maps.

## COMMUNITY ORGANIZER STORY

*Joanne Antoine, Executive Director of Common Cause Maryland, shared this story about the redistricting process that took place this cycle:*

“During the General Assembly’s special session there was a floor debate in the Senate about the congressional map proposal. I had never seen a bill move so quickly. It went from a committee hearing and vote to third reader and passage on the floor within just a few hours. The map moved so quickly that no amendments were made in committee even with a significant amount of public input that day.

“While the map was on their reader in the Senate, I remember a Senator quoting our testimony in the midst of their floor debate. It caught me by surprise but was appropriate because it summed up the redistricting process so well. ‘People are disengaged because they know their feedback will receive very little consideration... Common Cause MD is taking no position because the outcome is preordained.’ Our testimony, while clearly in opposition, made the impact that we intended. As the Senator stated during his comment, the maps passed were drawn ‘independent of the people’s comments.’”

## OVERALL STATE GRADE: C

**Partisan gerrymandering:** Both sets of maps passed by the Democratically controlled state legislature were challenged in state courts. While the state legislative maps passed constitutional muster and were allowed to take effect, the congressional maps that passed through the state legislature on party lines and survived a gubernatorial veto were found to violate the state’s constitution due to impermissible partisan gerrymandering by the Democratic legislature. This also resulted in a change in the election calendar and moving back the primary to accommodate a redrawing of the congressional maps that would be acceptable to the state legislature and to the governor.

**Commission without mandate:** The advisory commission created by the governor lacked power over the legislature. It consisted of nine members from both major parties and those registered with neither from an

open pool of public applications. Commissioners could not be candidates or employees of state or federal elected leaders, work for political parties, or be lobbyists. Additionally, commissioners could not consider incumbents' addresses nor voting patterns. However, the governor's commission was only advisory, and citizen commissioners had no mandate to adopt maps, nor were the maps they proposed required to be considered by the legislature. Many of the commissioners had never engaged in the redistricting process before. The adopted maps came from the state legislature. Advocates noted that the governor's commission managed to draw more majority-minority districts than the legislature did.

**Transparency and engagement:** Advocates noted that while there were marked improvements in transparency and engagement in the legislative redistricting process over the 2011 redistricting cycle, the state legislature still drew lines largely behind closed doors, whereas the governor's advisory commission had public deliberations as they drew maps. Therefore, although both the state legislature and the governor's commission took public input across the state, the map-drawing by the state legislature that was ultimately adopted was not done publicly. The state legislature also gave very short notice to the public about when their hearings were taking place, provided minimal public education and information dissemination, and provided the public with no justification as to how their maps were drawn and no details on who worked with them to draw their maps.

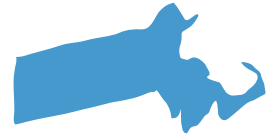
## LESSONS LEARNED:

- ✓ **There was improvement in receiving public input and draft maps:** Both the governor's advisory commission and the state legislature took public input and conducted hearings that reached different parts of the state. While the formation of the governor's advisory commission was new in this redistricting cycle and explicitly worked to receive public input, advocates noted that the state legislature's redistricting process was far more transparent than in the past cycles. The state legislature held regional hearings to take public testimony and released interactive draft maps, something that they did not do in the past.
- ✓ **Local redistricting processes need attention:** A key lesson learned by advocates was that the redistricting advocacy community in Maryland primarily paid attention to the legislative and congressional redistricting processes. While there was some work done at the local level, including the formation and selection of redistricting commissions at the county level, advocates noted that much of the monitoring of these processes was overlooked, and will require more support in future redistricting cycles.
- ✓ **Stronger community engagement and coalition-building is still needed:** Advocates noted that the redistricting ecosystem in the state should be strengthened for future cycles. The coalition should expand not only to enfranchise more residents to participate in the mapmaking process, but also to ensure that a more diverse coalition of organizations and communities can work together on defining communities of interest, calling for transparency, and potentially submitting community-drawn maps to the state legislature for consideration.
- ✓ **Public education on redistricting must be expanded:** This cycle, there was limited public education on the redistricting process from the state legislature, the entity that ultimately drew all the lines. Information about hearings needs to be disseminated to communities on the ground and more time needs to be provided for people to sign up to participate. More work needs to be done to expand the reach of such education.
- ✓ **Maryland should move to an independent redistricting commission:** The advisory commission formed by the governor was modeled after an independent redistricting commission bill that redistricting advocates in Maryland have been championing for years. A key recommendation is to pass such legislation so that in future cycles, the commission will not simply be advisory but have a mandate to adopt final maps. There is also support for the passage for federal standards for map-drawing.



## BACKGROUND:

The congressional and state maps are drawn by the legislature and are subject to the governor's veto. The legislature is also charged with reviewing and approving local district lines. The state abides by equal population requirements and the state legislative maps must be drawn in a contiguous manner and must prioritize keeping counties, towns, and cities intact.



## COMMUNITY OF INTEREST STORY

The Drawing Democracy Coalition (DDC) successfully created roughly 100 COI maps and consulted in drawing a statewide unity map that all partners, except for one organization, agreed upon. The DDC released their version of House maps, prior to the official commission release, which increased majority-minority districts from 20 to 29 and included five Latinx-majority districts. Due to the timing of the coalition's map release, the House adopted a majority of their district lines in the final map, a clear indication that House members had seen and incorporated the DDC House maps. Additionally, the DDC was successful in their advocacy for the creation of a new senate district.

## OVERALL STATE GRADE: A-

**Strong coalition:** The Drawing Democracy Coalition, anchored by the Massachusetts Voter Table, was created during the 2020 census and successfully transitioned to redistricting advocacy and education. The coalition was composed of the MIRA coalition, Common Cause Massachusetts, the League of Women Voters of Massachusetts, MassVOTE, Lawyers for Civil Rights, and ACLU-MA and worked on education, community of interest mapping, and advocacy during the map drawing process. In-state advocates agreed that the strong coalition helped to achieve success in the final maps.

**Increased representation:** The districting process increased majority-minority districts in the house from 20 to 33 and doubled the number of majority-minority districts in the senate. Unfortunately, this was not possible to do with the congressional map. However, this is encouraging as the percentage of minority voters has increased upwards of 40% in some communities.

**Great public accessibility in legislative hearings:** There were many hearings offered at a variety of times, locations and with language support. Chairs held public hearings once a month for six months, and the legislature was open to the unity map submitted and incorporated some of the suggestions. Further, all data was easily accessible.

## LESSONS LEARNED:

- ✓ **National resources make an impact:** The DDC found national redistricting materials, including the Redistricting 101 materials created by State Voices and Common Cause and the CHARGE Redistricting College webinars, to be valuable assets as they created resources for their in-state organizers. In turn, several states have pointed to Massachusetts as an example of great materials and campaign resources.



- ✓ **Community of interest map submission methods should be improved:** The DDC shared one example of an organization inaccurately explaining the Unity Map at a hearing and ended up advocating for a district that was not a DDC priority. For future districting, organizations and individuals may require more education on any Unity Maps and advocacy talking points to support them during hearings.
- ✓ **Mapping and data discrepancies need to be fixed:** The coalition noted that some racial data discrepancies appeared between Dave’s Redistricting App and the state mapping software. The demographic percentages for Black populations that existed in Maptitude were not the same as in Dave’s, which left a small discrepancy between the DDC maps and those created by the state. Standardizing the census categories used across all redistricting mapping tools would eliminate data discrepancies.
- ✓ **Use census block data first:** The opportunity for the legislature to draw districts using census block data before municipal reprecincting contributed to a higher number of majority minority districts. We recommend the Commonwealth adopt this change permanently for future redistricting cycles.”

## BACKGROUND:

For the first time in the state’s history, an independent citizens redistricting commission drew Michigan’s congressional and state legislative maps. State law required the commission to conduct all of its discussions concerning redistricting in public hearings conducted around the state. Quentin Turner of Common Cause Michigan stated that statewide coalition partners “were successful in engaging the public and developing strong relationships with the commission.” He added that they generated “high turnout during the pandemic hearings and were able to advocate for additional community hearing dates, especially in communities of color like Detroit.”



## OVERALL STATE GRADE: B

**Unprecedented transparency:** A statewide coalition led by Voters Not Politicians passed a ballot initiative in 2018 creating the Michigan Independent Citizens Redistricting Commission (MICRC). As a result, a process that had been plagued in previous cycles by secrecy and backroom deals was conducted in the open by decision makers who did not have a personal stake in the outcome.

**Extensive public participation:** The MICRC held over 120 public hearings and received almost 30,000 public comments in person or electronically.<sup>41</sup> Alyson Grigsby of Voters Not Politicians described how the organization “worked deeply with 12 community organizations in our state and helped them define their own communities of interest.” They added that, although “opinions regarding the maps were mixed among the communities, with some organizations seeing their communities accurately represented, and others wishing their communities were kept in the same district,” they believed that “Michigan’s district maps were heavily influenced by us empowering local organizations and citizens to submit maps and testimonies to the redistricting commission.” LGBT Detroit and Southwest Detroit Environmental Vision were just two examples of organizations representing communities of interest that contributed significant input by submitting maps and providing testimony to the MICRC through online portals.

**Improved partisan fairness:** Before the MICRC’s creation and when politicians drew districts during the 2010 cycle, Michigan Republicans intentionally skewed maps to maximize the number of congressional and state legislative districts their party would win. Before the U.S. Supreme Court’s decision in *Rucho v. Common Cause* prohibiting federal courts from hearing partisan gerrymandering challenges, a federal district court in Michigan struck down maps from the 2010 cycle as illegal partisan gerrymanders. Although federal courts could not hear such challenges this cycle due to the *Rucho* decision, challenges in state court were an option due to Michigan’s state constitutional prohibition against drawing districts to benefit a party or candidate. However, no such challenges emerged and none of our interviewees or survey respondents believed there was any evidence that maps either intentionally or unintentionally provided a significant advantage to one party or another.

**Mixed legacy on Voting Rights Act compliance:** An attempt to undo racial discrimination that plagued the last redistricting cycle might have had the unintentional effect of diminishing Black voting power. During the 2010 cycle, Republican legislators packed as many of Detroit’s Black residents into as few districts as possible to limit their influence over surrounding districts. This appears to have led the MICRC to focus significant attention in the 2020 cycle on unpacking these districts. As Branden Snyder of Detroit Action describes, the MICRC “created ‘competitive’ maps that unpacked Black districts, but depowered Black voters by creating Detroit districts that were joined with the suburbs that were 40% or less Black.” This

appears to have been based on advice from the MICRC's counsel to arbitrarily limit the percentage of Black voters in any one district. This is currently being challenged in federal court as a violation of the Voting Rights Act. Professor Jon Eguia of Michigan State University conducted an experiment to determine how many districts Black Michiganders could elect their candidates of choice in 100,000 computer-generated Michigan Senate and Michigan House maps. He found that the MICRC's failure to create even one majority-Black Michigan Senate district and very few with a sufficient number of Black voters to allow the community to elect its candidate of choice was a significant statistical outlier compared to the computer-generated maps. Fortunately, he found that the Michigan House map fared much better on this metric.<sup>42</sup>

## **LESSONS LEARNED:**

- ✓ **Voting Rights Act compliance training should be improved:** The MICRC's extensive focus on unpacking majority-Black districts from the last cycle likely damaged the ability of Black Michiganders to elect their candidates of choice and left maps vulnerable to a legal challenge. Future commissions should be instructed on the proper interpretation of the *Gingles* requirements to draw districts in which sufficiently concentrated communities of Black voters can elect their candidates of choice.
- ✓ **Commissioners need help sorting through public input:** The nearly 30,000 pieces of public comment and testimony were invaluable to the mapmaking process. However, such a large volume of materials can be a challenge to assess effectively. Providing a system or technological tool to maximize the number of public comments commissioners can meaningfully consider will be essential to fully taking advantage of this gold standard redistricting reform.



## BACKGROUND:

The Minnesota Constitution empowers the state legislature to draw U.S. House and state legislative districts, subject to a gubernatorial veto. However, political stalemates have resulted in an appointed panel of judges drawing at least one set of districts every decade since the 1960s. Due to Republican control of the Minnesota Senate and Democratic–Farmer–Labor Party (DFL) control of the Minnesota House, the legislature’s February 2022 constitutional deadline for completing redistricting passed without agreement on a map. In anticipation of this outcome, the Minnesota Supreme Court appointed the Minnesota Judicial Branch Special Redistricting Panel several months earlier.



## COMMUNITY OF INTEREST STORY

A coalition of organizations, grassroots groups, and community activists called the Minnesota Alliance for Democracy implemented a grassroots redistricting reform campaign called OurMapsMN. The campaign focused on empowering communities of color and other impacted communities in the state in the redistricting process.

This collective effort included engagement with 21 organizations across the state that are focused on communities of color and approximately 400 community members representative of ten self-identified racial and ethnic groups. Community meetings were held in 11 cities located in eight target counties to guide Minnesotans through the process of drawing their communities and developing coalition maps. The coalition conducted mapping and engagement in five languages. As a result of the more than 100 hours of outreach and trainings, the Alliance submitted 4,200 written statements to the Minnesota Senate, 1,600 to the Minnesota House, and more than 40 community of interest maps. This organizing led to an increase in minority opportunity districts in the state legislature.

## OVERALL STATE GRADE: C+

The five-judge Special Redistricting Panel held ten public hearings across the state in 15 days and accepted written statements from the public. In addition, it adjudicated a case with four different plaintiff groups who proposed principles for drawing districts and sample maps. The Corrie Plaintiffs (Common Cause, OneMinnesota.org, Voices for Racial Justice, Professor Bruce Corrie, and other individual Minnesotans of color) were the only parties expressly advocating on behalf of the state’s communities of color. These plaintiffs submitted maps and arguments in support of its proposed districts based on the extensive organizing of the Minnesota Alliance for Democracy coalition. Their participation was crucial to the gains in representation that communities of color made.

Minnesota’s grade this redistricting cycle reflects the fact that the judicial panel heard public input and helped make important strides toward fair representation, particularly for communities of color. However, the grade also represents the judicial conservatism that prevented the panel from a wholesale reconstruction of the state’s maps despite significant demographic shifts.

## LESSONS LEARNED:

- ✓ **Organizing and joining litigation was crucial to ensuring wins for communities of color:** Several districts reflected community input that the Corrie Plaintiffs presented to the special judicial panel in charge of drawing districts. Final maps kept three Native American tribes in Northern Minnesota in one U.S. House district and one Minnesota Senate district. The new state Senate District 2, which includes reservation lands for the White Earth, Leech Lake and Red Lake Nations, drew two Native candidates: Republican state Representative Steve Green, a White Earth enrollee who won the race, and Alan Roy, a Democrat and White Earth Nation tribal leader. The Court also met the Corrie Plaintiffs' proposed number of majority-minority POC districts with nine in the Minnesota House and five in the Minnesota Senate. Overall, the court nearly met the Corrie POC opportunity district numbers with 22 Minnesota House seats (the plaintiffs sought 24) and 10 Minnesota Senate seats (equal to the plaintiffs' map). Also, a Latinx community split between the cities of St. Paul and West St. Paul was put together in one state legislative district.
- ✓ **The least-change philosophy of redistricting must be attacked directly:** Despite these key wins, advocates were disappointed with the extent to which the new districts reflected the status quo despite their view that a wholesale change to districts was needed. The judicial panel stated that “courts lack the ‘political authoritativeness’ of the legislature and must perform redistricting in a restrained manner,” and that they “must start with the existing districts” before making only minimal changes.<sup>43</sup> The growth of Minnesota’s communities of color is solely responsible for the state maintaining the same number of congressional districts it had last decade. Advocates believed that this profound change in the state’s demographics justified a wholesale reevaluation of districts that have remained largely the same for decades. Regardless, the judicial panel maintained a decades-old view that its hands were tied by previous generations of mapmakers. Minnesota advocates should consider pushing for a requirement that districts be drawn from scratch based on public input and prohibit the use of a least-change approach that leaves districts largely intact decade after decade.



## BACKGROUND:

Mississippi's state legislature draws and adopts congressional and state legislative district maps, which are subject to gubernatorial veto. State legislative maps are adopted by resolution and do not require the governor's signature.

Mississippi's state legislature, with supermajority Republican control, adopted congressional maps that split the state capitol, Jackson, into two districts, over the protests of the NAACP, Mississippi's sole Black and Democratic congressional member and several Black state legislators. Jackson was split along partisan and racial lines. *Mississippi State Conference of the NAACP v. State Board of Election Commissioners* is an ongoing case challenging MS's legislative maps as racially discriminatory.<sup>44</sup>



## COMMUNITY OF INTEREST STORY

Local organizing and mapping efforts were the path to organizing wins in Mississippi. Gulfport saw one of these wins at the City Council level. The City Council had seven seats with two majority-minority seats. Because of community input, they ended up drawing a third seat that gave Black and Latinx voters the opportunity to elect candidates of their choice. Without this input, long-term relationships, and organizing and mapping expertise provided by groups organizing in Mississippi, Black and Latinx residents of Gulfport would not have won more representation on the City Council.

## OVERALL STATE GRADE: D-

**Lack of public engagement:** One advocate noted that the state legislature held public hearings only before census data was released. The decision-making meetings were performative - three meetings that were 15 minutes each: one to form the map, one to adopt redistricting criteria, and one to adopt the map for the legislature.

**Lack of transparency:** Advocates described the legislative committee in charge of redistricting as extremely non-transparent in their decision-making. The maps were drawn behind closed doors, and the committee never offered draft maps for public comment.

**Timeline issues:** The legislature revealed proposed draft maps shortly before they voted on them and never allowed the public to comment on draft maps. Some advocates stated that the legislature led people to believe they would not do redistricting until the beginning of 2023, but later "snuck it in at the end of their session," proposing and approving a plan within a few days with no opportunity for public comment.

## LOCAL GRADE: C

Advocates as a whole found **more success in advocacy at the local level**. One advocate stated that certain local jurisdictions provided ample opportunity for public testimony and were responsive to input, while others were terrible. However, advocates generally found it easier to apply pressure and get wins organizing for communities around local level maps.

## LESSONS LEARNED:

- ✓ **Leveraging technology and experts for organizing works:** Organizers spoke to the importance of using technology to empower communities to advocate for themselves. As one advocate stated, “When we have a map produced in Maptitude, it levels the playing field - that is the game changer for us.” Empowering community members through training to use Maptitude and other mapping software gives them greater power to influence the process. Access to local experts who know the geography and history of Mississippi would also be extremely helpful.
- ✓ **Long-term relationships and networks on the ground were important:** Mississippi has a vibrant organizing ecosystem around civic engagement and redistricting, with some organizations such as Southern Echo having over 40 years of experience organizing communities around redistricting. Many successes in organizing directly stemmed from the long-term network, relationships, and history of organizing around redistricting in Mississippi. These relationships were integral to being able to organize effectively around maps. External or national groups need to show deference for state groups and activists. Funders should support local and state organizations earlier, to enable them to organize more effectively.
- ✓ **There was success at the local level to draw communities of interest (COIs) and minority districts:** By focusing on providing local groups with technology and training to advocate for themselves in local map-drawing, groups like Southern Echo were able to help communities win representative maps that protected COI’s and minority districts.
- ✓ **A fair census and funding from the time of the census is critical:** In a state like Mississippi, where 4.1% of the population was undercounted in 2020,<sup>45</sup> it is crucial to receive funding for Census outreach to undercounted communities. Having a fair census with accurate counts for Black and Latinx communities sets the stage for fair and equitable redistricting.



## BACKGROUND:

Missouri has three separate redistricting processes. The congressional district lines are drawn and adopted by the state legislature, subject to gubernatorial veto. Two politically appointed commissions – one for the state House and one for the state Senate – draw and adopt the lines for their respective state legislative maps. The House Commission has 16 people, and the Senate Commission has 20 people – both with an equal number of Democrats and Republicans, who are nominated by the two major parties and appointed by the governor. If either commission fails, that chamber’s plan is drafted and adopted by a six-member backup commission of state appellate court judges.



After a rough start, the House Commission ultimately agreed to have hearings throughout the state and adopted the final House maps unanimously. The Senate Commission gridlocked and the mapping process was taken over by the back-up Judicial Redistricting Commission, which drew the final maps. After months of impasse, Missouri Governor Mike Parson signed a new congressional map into law on May 18, 2022.

*“For everything we put in...we actually got decent results.”* Caroline Fan, Missouri Asian-American Youth Foundation

## COMMUNITY OF INTEREST STORY

Ferguson, a small racially divided suburb of the city of St. Louis, made national headlines in 2014 with the police shooting of Michael Brown and the subsequent civil rights uprising. At the time of the shooting, the population was 67% Black, with no Black representatives on the city council.<sup>46</sup> A few years after the surge in community organizing and protests, the city had its first female Black mayor, and half the city council, the police chief, and the city manager are now people of color. There was an attempt during state legislative redistricting to split the city; some believed that this cracking effort was a backlash to the growing influence of people of color and was due to the desire to create a safe district for Republicans. However, powerful public testimony by the mayor of Ferguson and civic leaders resulted in the city of Ferguson being made whole in the State Senate and House maps.

## OVERALL STATE GRADE: C

**B** for State House Redistricting - Process managed by politically selected citizen commission.

- After much wrangling, the House Commission held six hearings around the state. In general, the hearings were minimally accessible, but mapping was transparent. Some public testimony was considered, including the adjustment of lines to make several communities of color whole.

**C** for State Senate Redistricting - Process started by politically selected citizen commission, completed by Judicial Redistricting Commission.

- In general, the Senate hearings were barely accessible. The commission did take some public testimony into account and adjusted the lines to make several communities of color whole. However,

after the citizen commission failed, the Judicial Redistricting Commission scheduled only two hearings and canceled one of them,<sup>47</sup> taking minimal public input before producing the Senate plans that are now being challenged in court. A ruling in this case is expected in September of 2023 or later.

**D** for Congressional Redistricting - Process carried out by State Legislature.

- The congressional hearings were minimally accessible. The map drawing was carried out entirely behind closed doors, accessible only to lobbyists or those with special relationships to legislators. Even though there was “raw politics” and “epic dysfunction,” according to one organizer, the Legislature avoided an F grade by working to protect the ability of communities of color to elect candidates of their choice in St. Louis, Kansas City, and other parts of the state.

## **LESSONS LEARNED:**

- ✓ **Community input made a difference:** The high degree of public participation regarding the state House redistricting resulted in maps containing the first majority Latinx voter district (on the northern side of Kansas City), more majority Black voter districts, and more competitive districts overall.
- ✓ **More accessible hearings and time for public input must be required:** With so few hearings scheduled, people should have been allowed to join the public input meetings through virtual options. For everyday people, including those with work obligations or disabilities, the distances were an insurmountable obstacle to providing input. Additionally, the draft maps needed to be more publicized, with more time for members of the public to examine and give comments on the maps.
- ✓ **The commission should start with a map drawn by non-partisan experts:** The commissioners would have been aided in their deliberations by having initial draft maps that they could have adjusted based on public input. The initial maps could be drawn by demographers or mappers that are nonpartisan state or university employees.
- ✓ **Nonprofit funding should be raised earlier and support POC-led organizations to be part of redistricting strategies:** There are growing Latinx, Asian, and Pacific Islander communities in Missouri. If there are groups that are given grants to pull together redistricting community mapping conversations, the coalition needs to be inclusive and to build trusting relationships within diverse communities. Preferably, funding should go directly to communities of color who are more likely to be disenfranchised during the redistricting process rather than white-led organizations.

## BACKGROUND:

Montana uses a five-member redistricting commission to draw congressional and state legislative districts. Although the Montana Districting and Apportionment Commission (MDAC) seeks recommendations from the legislature, the final plans are approved by a majority of the commission. The majority and minority leaders of the Montana State Legislature each appoint one member. Those four appointees appoint the fifth member, who serves as the chair. According to the Montana Constitution, commissioners may not be public officials. When the four appointees cannot agree on the fifth member, the Montana Supreme Court appoints the chair. Historically and with the 2020 commission, all the chairs have been appointed by the Supreme Court.



## COMMUNITY OF INTEREST STORY

The MDAC successfully resisted efforts to dilute Native American representation. Unfortunately, infighting about partisan outcomes had a prominent role in the debate over maps. Although legislators have no formal say in the approval of new districts, legislative leadership's direct appointment of MDAC commissioners means that appointees could share legislators' views and goals. In this cycle, Native Montanans faced vocal hostility from some legislators. For example, state Representative Brad Tschida said that it wasn't "fair" that Native Americans are "overrepresented" in the Montana Legislature.<sup>48</sup> MDAC commissioner Kendra Miller argued that Tschida's incorrect claim was based on counting only people who state that they are exclusively Native American while excluding mixed-race Montanans. State Representative Ed Butcher stated that most legislators from reservations have "room-temperature IQs" and that "the reservation doesn't necessarily always send their best and brightest."<sup>49</sup>

Native-led organizations and tribal leaders worked actively to fight the attempted dilution of Native voting power. The organization Red Medicine spoke out against proposals that would have divided the Fort Peck and Fort Belknap reservations and that would have made it more difficult for Crow and Northern Cheyenne reservations to elect their preferred candidate. Western Native Voice also vocally supported maps that maximized Native political power. In a public hearing on a reservation at Salish Kootenai College in Pablo, the Confederated Salish and Kootenai Tribes spoke in favor of preserving Voting Rights Act state legislative districts that are majority-Native.

These various efforts ultimately paid off. The chair of the MDAC sided with the two Democratic commissioners to approve state legislative maps that ensured more effective representation for Montana's Native residents. In doing so, the chair broke a stalemate that threatened the ability of the commission to complete its work on time.

## OVERALL STATE GRADE: B

## LESSONS LEARNED:

- ✓ **Direct appointment by legislative leadership can lead to gridlock:** While Montana’s citizen redistricting commission was a model for reform at the time of its creation, it allows much greater direct participation of legislators in choosing commission members than commission models in other states. Montana’s legislative leadership directly appoints four of the MDAC’s five members, limited in its choices only by the requirement that commissioners not be public officials. In other states, legislators are limited to striking applicants or appointing them from a prescreened list of individuals. Republican commissioner Dan Stusek succinctly summarized the problematic hyper-partisan perspective this direct appointment can create among commissioners when he said, “I feel a sense of agency on behalf of the Republican leadership and the Republican Party as their voice on this commission.”<sup>50</sup>
- ✓ **Organized public input can make a difference:** In a state whose majority party includes members overtly demonstrating hostility to Native American representation, showing up and providing specific feedback to draft maps can still tip the scales in favor of fair representation. The participation of tribal government representatives, Native-led nonprofits, and indigenous community members played a crucial role in defeating maps that would have diluted the votes of Native Montanans.
- ✓ **Ending prison gerrymandering is an increasingly nonpartisan reform:** This redistricting cycle, the MDAC ended the practice of prison gerrymandering in Montana. Prison gerrymandering skews representation by artificially inflating the population numbers of communities with prisons by counting imprisoned people as residents of the location where they are imprisoned instead of their last known pre-incarceration address. Despite a polarized atmosphere in which commissioners of different parties were unable to agree on final maps, the MDAC’s vote to end prison gerrymandering was unanimous and bipartisan.





## BACKGROUND:

In Nebraska, the Unicameral Legislature draws congressional and state legislative districts, subject to gubernatorial veto. Reformers attempted to gather signatures in 2020 for a ballot initiative to create an independent citizens redistricting commission. However, pandemic restrictions prevented that effort from succeeding and no subsequent effort has been launched. The effectiveness of advocates in Nebraska provided some important wins for communities despite a partisan process. Legislators made clear that they would pay little attention to community of interest and district maps that advocates submitted, and Republican control of the Unicameral and the governor's office ensured that some degree of partisanship would prevail. Despite these obstacles, advocates succeeded in keeping together several discrete communities of interest after draft maps threatened to split them.



## COMMUNITY OF INTEREST STORY

Several communities of color succeeded in pushing back against early draft maps that would have diluted their electoral strength. As Spike Eickholt of the ACLU of Nebraska described, “we were generally successful in protecting communities of interest.” Douglas County has the highest percentage of Black residents in Nebraska. A draft congressional map would have split the county’s Black residents between two congressional districts. After significant outcry from residents, advocates, and some legislators, the legislative committee leading redistricting reversed course. Gavin Geis, executive director of Common Cause Nebraska, also described key areas in which “maps changed and districts were redrawn in ways that were more representative of some minority communities in the state.”

In addition to the successful advocacy by Black residents of Douglas County, Geis pointed to Native American communities in the northeast section of Nebraska and a Latinx community in the city of Grand Island. In both cases, Common Cause Nebraska worked with local activists to support their advocacy and won changes to voting maps that kept communities whole.

## OVERALL STATE GRADE: C+

Although public advocacy in the form of map submissions may have had little direct influence on legislators who drafted maps, the organizing it entailed prepared advocates to react swiftly and forcefully to problematic draft maps. Victories on several fronts to improve representation for communities of color are rare in states in which legislators draw districts, which is why most of them earned a D or F grade this cycle. However, Nebraska avoided that fate because of the effectiveness of fights for Black, Native American, and Latinx voting rights in several pockets of the state. Legislators displayed the usual disinterest in public input that is standard for politician-led redistricting processes, telling advocates that “they weren’t paying any attention to the public-created maps,” according to Geis. However, they could not ignore the fierce response to communities activated by maps that threatened to disenfranchise them.

## **LESSONS LEARNED:**

- ✓ Although a C+ is a decent grade for a legislature, wins for communities of color came only after initial drafts were drawn poorly and significant public pressure forced legislators' hands. Nebraska is a ballot initiative state that allows voters to amend the state constitution. As a result, stripping the power to draw districts from legislators does not require the assent of those legislators. Building a coalition to pass a ballot initiative that would create an independent citizens redistricting commission ahead of the next redistricting cycle is key.
- ✓ Alternatively, advocates could consider reforms that address the challenges they faced in this redistricting cycle while leaving the power to draw districts in legislators' hands. This could include, for example, adding a legal requirement enforced by state courts that the Unicameral consider maps submitted by the public. The presence of a ballot initiative option creates significant opportunities to find the reform that best fits Nebraska's needs.



## BACKGROUND:

In Nevada, both congressional and state legislative district boundaries are drawn by the state legislature. The lines are subject to veto by the governor. Under a state law enacted in 2019, incarcerated individuals in state prisons are counted as residents of their home addresses for redistricting purposes.

## COMMUNITY OF INTEREST STORY

During the 2021 redistricting process, members of the public were given the opportunity to draw both full redistricting plans and communities of interest maps and to submit them for consideration through the web-based redistricting application MyDistricting Nevada. Over 500 users registered for an account with MyDistricting Nevada, and 50 redistricting plans were submitted as public proposals for Nevada's congressional, state senate, and state assembly districts. Additionally, 11 communities of interest maps were submitted.

The Silver State Voices Coalition advocated keeping Asian American Pacific Islander (AAPI), Native, and Latinx communities together. Though they successfully kept AAPI and Native communities together, the Latinx community in Las Vegas was split among three congressional districts. The new map redistributes about one in seven Latinx residents and decreases the demographic group's share of the district from 45.1 percent to 35.5 percent. As a result, no district fully represents Latinx individuals, who account for roughly 4 out of every 10 Nevada residents.

## OVERALL STATE GRADE: B-

## LESSONS LEARNED:

- ✓ **Cross-community coalition made a difference:** Due to the advocacy of the coalition to prioritize drawing maps around tribal lands over county boundaries, the legislature made changes to keep tribal communities together. Another win for the coalition was that the legislature made revisions for reallocating additional incarcerated people to their home communities.
- ✓ **The Nevada Legislature should lower barriers to participation:** Participation should be made more accessible by providing language access, especially to the Spanish-speaking communities, using more user-friendly mapping tools, holding meetings in more locations (including on tribal lands), and creating an easier-to-navigate website, especially on mobile devices.
- ✓ **Nevada needs an independent redistricting commission:** Organizers must push for an independent redistricting commission (IRC). IRCs have been found to produce maps that are more competitive and fair than those drawn by politicians.<sup>51</sup>



## BACKGROUND:

In New Hampshire, the state legislature draws congressional and state legislative districts through the normal legislative process, subject to a gubernatorial veto. The 2021 redrawing process extended into late 2022 with Governor Chris Sununu vetoing two rounds of partisan-drawn maps before a special master, appointed by the state Supreme Court, stepped in to draw a final map. In one map, vetoed by the governor, the state legislature attempted to pair two Democratic incumbents into Congressional District 1.

## COMMUNITY OF INTEREST STORY

There were some wins made at the House level that kept whole communities together despite legislative threats to split these areas. Additionally, maps did well in preventing small townships from being lumped together. Several House committee members made specific comments about the community of interest (COI) maps submitted by the redistricting coalition. On the senate and congressional side, all COI mapping failed entirely due to partisan differences.

## OVERALL STATE GRADE: C

**Improvements from 2011:** The legislative committee held the required one hearing per county, had a website for hearings and public information, and held all meetings in handicap accessible locations. The committee utilized Zoom as a virtual viewing option but did not allow for any testimony over the platform. The committee allowed written testimony.

**Lack of legislative accountability:** Despite improvements to the process compared to the previous cycle, partisan gerrymandering by Republican legislators was so blatant that Governor Sununu, also a Republican, vetoed the congressional map. As a result of this stalemate, the New Hampshire Supreme Court ordered a redraw of the map by a special master. Advocates filed a lawsuit challenging state legislative districts as an illegal partisan gerrymander. An in-state report found that “While only one-third of New Hampshire residents have seen the legislative redistricting maps proposed by the State Legislature, nearly all Democrats and Independents who have seen them consider them to be unfair, while even Republicans are closely divided.”<sup>52</sup> The public testified and presented maps which were largely ignored in favor of partisan drawn maps. The New Hampshire redistricting coalition lobbied legislators to vote against the partisan maps and incorporate public testimony. Further, once the final maps were released the committee held public hearings during the day despite calls from organizations asking for more options.

## LESSONS LEARNED:

- ✓ **Public engagement increased this cycle:** The Fair Maps coalition successfully engaged the public throughout the redistricting process. The coalition held a statewide Mapathon event which garnered members of the public from every county in the state and produced over ten COI maps.
- ✓ **An independent redistricting commission should be established:** Although the redistricting process in New Hampshire improved during 2021, advocates stress that an independent redistricting commission is still needed to avoid partisan gerrymandering moving forward.

- ✓ **Organizations must be bold in advocacy efforts:** In previous cycles, organizations often sat on the sidelines in hopes that their presence would reduce partisan gerrymandering. In 2021, the Fair Maps coalition spent a large portion of time on public outreach and education on the state redistricting process and how the public could affect change. As one advocate expressed, “we got in the faces of legislators about the need for fair maps”.
- ✓ **There should be an increase in national organizing coordination:** The New Hampshire redistricting coalition was small in 2021 and looked to national organizations for resources and support. National resources to the state were delayed and the coalition would like to see earlier communication to find out what resources are needed in a state and create an appropriate timeline for support.

## BACKGROUND:

New Jersey's 40 state legislative districts are drawn by a ten-member commission largely composed of politicians. Each of the state's two political parties selects five commissioners. An 11th member is selected by the Chief Justice of the New Jersey Supreme Court to serve as a tiebreaker if the commission cannot agree on maps by the deadline. Voters in each of the 40 legislative districts elect one senator and two assembly members.



The congressional lines are drawn by a commission composed of 13 political appointees. Commissioners are chosen by the majority and minority leaders in the state senate and state assembly and the chairs of the state's two major political parties, who then collectively choose a 13th commission member. If the partisan appointees to the commissions cannot agree on a 13th member, the state Supreme Court selects a 13th member from among the names provided to it by the two partisan delegations. The state must draw all new districts using census data adjusted to count incarcerated individuals at their last known pre-incarceration address.

The congressional map was challenged by Republican members of the commission, who alleged that the tiebreaker, former State Supreme Court Justice John Wallace, had ulterior motives in moving forward with the Democrat-supported map. The New Jersey State Supreme Court unanimously dismissed the lawsuit on February 3, 2022, finding that the lawsuit did not have legal merit.

## COMMUNITY OF INTEREST STORY

During this cycle, considerable effort was made to ensure a proportional number of majority-Black districts across the state. According to the U.S. Census, 15.3% of the state of New Jersey is Black, yet only one of 40 state legislative districts is majority Black. Fair Districts New Jersey, a coalition focused on fair, representative, and community-driven redistricting (and led by the League of Women Voters of New Jersey) worked to create a map that brought together communities of interest (COIs) while meeting all legal requirements. The coalition was able to draw three majority-Black state legislative districts in the Newark metro area.<sup>53</sup> Community organizers found the final map to be packed in District 28, which was about 72% Black. Conversely, the unity map was able to draw three majority-Black districts around the Newark, Orange, East Orange, and Montclair areas; it was endorsed by a wide swath of civil rights organizations such as the NAACP State Conference, the Latino Action Network, and the Sikh American Legal Defense and Education Fund.

Despite the outcome, organizers found that this cycle there was unprecedented public participation, and expressed hope that raising awareness on these redistricting map concerns will help to mobilize voters, increase turnout, and spur advocacy for the next redistricting cycle. Coalition members of Fair Districts New Jersey noted that the group might pivot to redistricting reform in anticipation of the next cycle.

## OVERALL STATE GRADE: B-

**Disenfranchisement of Black voters:** As outlined in the COI story above, community organizers found the commission was not receptive to public testimony about creating majority-Black districts nor to the potential configuration of majority-Black districts afforded by the unity map.



**Public access:** Feedback on public access was mixed; while organizers appreciated the public hearings and ability to participate virtually, and overall found that the opportunities to participate were greater than in the past, people expressed the desire for increased transparency and data sharing. These areas are expanded on in the following section.

## LESSONS LEARNED:

- ✓ **Effective coalition work moved the needle:** Community organizers noted that the Fair Districts New Jersey coalition was the largest and most diverse coalition that has ever worked on redistricting in the state. Despite the challenges of balancing different goals and priorities, the coalition worked together effectively and is looking towards potentially continuing to work together to advocate for redistricting reforms to ensure more representative and fair maps in the future.
- ✓ **Multiple modes of public access mattered:** Organizers noted that public access to participation was improved compared to the last cycle. For example, ten public hearings were held this cycle compared to three in 2011. The public could participate online, in person, or through written testimony. Further, people were able to submit their own maps and were able to comment after the release of official draft legislative maps, a first for New Jersey.
- ✓ **An independent redistricting commission is still needed:** Studies have found that independent redistricting commissions produce maps that are more competitive, fair, and less partisan than those drawn by politicians.<sup>54</sup> As outlined above, organizers found this cycle's state legislative maps, drawn by elected officials, were not representative nor fair, particularly in regards to voters of color.
- ✓ **Public access and transparency should be expanded:** While many were satisfied with some aspects of the public testimony process, there was room for improvement. Community organizers expressed the desire for all mapping meetings to be held in public and for the congressional draft maps to be shared. Further, some found navigating the public map submission process difficult. Lastly, advocates would like improved communication from the Department of Corrections regarding data used to reallocate the incarcerated population to their last known address. Receiving data in a timely manner proved to be a challenge.
- ✓ **Resources must be provided in languages other than English:** To further promote public access, the state should create and disseminate resources in languages other than English. According to a recent U.S. Census survey, 31.9% of people in New Jersey speak a language other than English at home,<sup>55</sup> and 12.1% speak English "less than very well."<sup>56</sup> Redistricting resources should be provided in the following languages (the top languages other than English spoken in the state) to encourage a broader reach of participation: Spanish, Filipino (Tagalog), Chinese, Hindi, and Korean.<sup>57</sup> It is further emphasized that a significant portion of the population (16.1%) speaks Spanish, and thus, materials provided in Spanish would be particularly valuable for a significant portion of the state population.<sup>58</sup>



## BACKGROUND:

This redistricting cycle was the first to utilize an advisory commission, the Citizen Redistricting Committee (CRC) in the drawing of state and congressional district lines. SB 304, signed into law in April 2021, enacted a seven-member advisory commission composed of appointed individuals who have not served during the previous two years as a state or federal legislative employee, lobbyist, or political officeholder, and were not the relative of an officeholder. The commission is composed of two non-partisan members selected by the State Ethics Commission, four members selected by each state legislative leader, and one retired state judge or justice also selected by the State Ethics Commission.



Notably, the advisory commission can consider maintaining the cores of existing districts and must also take into consideration the boundaries of reservations.

On January 6, 2022, all New Mexico redistricting plans were signed into law by Governor Michelle Lujan Grisham. Soon after, New Mexico Republicans filed a lawsuit challenging the congressional map, claiming it was a partisan (Democratic) gerrymander. In July 2023, the New Mexico Supreme Court ruled that extreme partisan gerrymandering violates the New Mexico Constitution and ordered the trial court to complete the proceedings by October 1, 2023.

## COMMUNITY OF INTEREST STORY

This cycle, for the first time, there was a Native American coalition, Native American Voting Alliance, which pushed for a fair process and representative maps. The coalition mobilized indigenous communities to give testimony, created a Native American coalition map, and ultimately was key in passing the final maps. As a result of their steadfast advocacy surrounding the senate map, Native American voting power was upheld in northwest New Mexico.

## OVERALL STATE GRADE: B

**Create more opportunities for rural communities to participate:** While the COVID-19 pandemic impacted the redistricting process across the country, many states, including New Mexico, pivoted to virtual and hybrid meetings. The CRC made efforts to reach rural communities that are less likely to have reliable broadband access, and were legally obligated to hold one meeting in each of the geographic quadrants of the state and at least one meeting on tribal lands.<sup>59</sup> Organizers were generally satisfied with the amount and types (virtual, in-person) of meetings, but felt there could be even more outreach to rural areas, citing the limitations of only requiring four in-person meetings across the vast expanse of the state.

**Coalition/unity map efforts pay off:** Several organizers shared success stories from this cycle. For example, a coalition of advocates from Center for Civic Policy, Progress Now, New Mexico Black Voters Collaborative, and others, successfully mobilized cross-racial communities to advocate for and pass the first community-drawn congressional map, the People's Map, which created a POC-majority district in southeastern New Mexico.

## LESSONS LEARNED:

- ✓ **An independent, representative redistricting commission is needed:** This cycle, organizers worked to pass legislation to enact an independent redistricting committee, which ultimately became an advisory committee. While organizers were generally satisfied with the advisory committee, ultimately, the power to approve maps still rested with the legislature. Further, the redistricting body must be more representative of the entirety of the state - this cycle, many felt the redistricting committee had an over-representation of members from central New Mexico (i.e., Albuquerque), and could benefit from more members from the southern parts of the state and Native American communities.
- ✓ **Continue to fight to end prison gerrymandering:** This cycle, efforts were made to end prison gerrymandering in the state. While these efforts did make their way to the committee, who advised the legislature how to end the practice, ultimately, prison gerrymandering was not ended this cycle. While unsuccessful this time around, the momentum must be continued into 2030.
- ✓ **Start coalition efforts early:** Organizers stressed the importance of both starting coalition building and having concise organizing plans early. Organizers also expressed the importance of tying together census and redistricting coalition work, as the two impact one another.



## BACKGROUND:

In 2021, New York’s redistricting was conducted through a newly formed commission created to draw the initial maps to be considered by the state legislature. This commission, failing to meet their duty, submitted two partisan maps. As one organizer stated, “It was supposed to be an independent commission free from partisan politics, but it wasn’t free of political power.” The districting process next moved to the Legislative Task Force on Demographic Research and Reapportionment (LATFOR) which drew the maps that were adopted by the state legislature.



In February 2022, plaintiffs successfully challenged the LATFOR congressional and state senate maps in court. A special master was tasked with redrawing the maps ahead of the June 2022 primaries. Separately, the state assembly maps were challenged and the Independent Redistricting Commission (IRC) has been tasked with creating new maps once again.

As of February 2023, the IRC released a draft map and held hearings in early 2023. However, the IRC submitted to the Legislature for approval a map that was nearly identical to the challenged LATFOR plan. In addition, there is a court case challenging the current congressional map requesting that they be redrawn by the IRC. As summarized by Susan Lerner of Common Cause New York, “The commission was an ultimate failure and it is unclear what its benefit was; the procedure was lousy from beginning to end.”

## COMMUNITY OF INTEREST STORY

During the 2011 redistricting process, in one example of extreme gerrymandering, the Richmond Hill neighborhood in New York City was divided into seven assembly districts. When the IRC deadlocked and LATFOR drew the maps, it reduced the number from seven to four assembly districts. When the court ordered the IRC to redraw the map, the IRC’s draft map of December 1, 2022, put Richmond Hill in largely one assembly district. This achievement was made possible through relentless advocacy and public pressure on the IRC by coalitions such as APA VOICE, however the IRC ultimately abandoned its own draft map for Richmond Hill that had overwhelming public support and submitted a map for the legislature’s approval that was nearly identical to the one LATFOR drew in February 2022, splitting Richmond Hill in four. During the community mapping process, the APA Task Force members took a walking tour of the Richmond Hill neighborhood and as one advocate put it: “We taught each other about our communities, which was absolutely fascinating...and it was an opportunity for us to understand the markers of the community.”

In another example, after extensive community advocacy, the new City Council District 43 created opportunities for Asian American representation. This new district was created with the strong recognition of the 43% Asian American population growth since 2010. Assembly District 49 remained a majority-Asian district. The creation of these districts led to the election of new Asian American representation.

During the 2021 process, Common Cause New York was a leading organization for COI training, analysis of demographic changes, and analysis of proposed maps. At the end of the cycle, they also drew congressional and senate maps. The New York Civic Engagement Table (NYCET) also worked with community stakeholders to educate community organizations on defining and mapping COIs.

## OVERALL STATE GRADE: D

- **Lack of public access options:** The redistricting process was largely inaccessible to the public. The state offered limited language access despite the state's diverse population. The commission offered to provide an interpreter if requested online in advance, which created an unnecessary hurdle for non-English speaking residents. All hearings were heard during business hours and information about hearings was not well-promoted. Further in the process, the LATFOR mapping process did not allow for public hearings and disregarded the hard work of community mapping. After the legislature announced the new congressional district maps, the APA VOICE Redistricting Task Force hosted an emergency rally to express the need for public input and the harmful silencing of community voices.
- **Lack of interest from the IRC:** Although the state commission process mandated public hearings across the state, many advocates felt as though their testimony was disregarded. As one advocate explained: "The commission took substantial time with community members. Public hearings were long and they would ask detailed questions. But if these comments don't have an impact on final maps, it is an exercise in publicity only."
- **The IRC was poorly executed:** As mentioned throughout this report, the IRC process did not meet the mission of creating a fair and equitable map-making process. Every organization interviewed for this report indicated that the IRC needs reform or a complete overhaul in the process before the 2030 redistricting cycle. If the current IRC process is maintained, it will be nearly impossible for organizations to mobilize communities to engage in this process.

## LESSONS LEARNED:

- ✓ **Community-based organization visibility led to critical victories:** The largest Asian and Pacific Islander American coalition, APA VOICE Redistricting Task Force in New York, was able to garner extensive press coverage, community testimony at hearings, and community visibility in the courts. This hard work resulted in the Special Master citing the Task Force five times, more than any other community-based coalition, during the announcement of new maps. A newly created Senate District 17 that has 48% AAPI population led to the election of the first Asian American female state senator. In addition, State Assembly District 30, which contained 49.5% AAPI led to the election of the first Filipino American member of the state legislature. Outside of these APA VOICE Redistricting Task Force victories, the other community organizations felt they did a great job despite the constant challenges in the process.
- ✓ **Translation services need to be accessible:** The available translation services were not well-publicized on the state redistricting website, and, if a person were to locate the request form, they had to complete a form in English. This posed a challenge for non-English speaking communities and reduced the trust among non-English speakers that their voices would be heard. The National Association of Latino Elected and Appointed Officials (NALEO) critiqued the lack of language access options in a letter that received some positive response from commission members. Many of the community-based organizations (CBOs) had to publish translated materials and act as interpreters due to the lack of accessibility from the state.
- ✓ **Accessible data and analysis are important for education:** Interviews cite free tools like Dave's Redistricting App and CUNY's Redistricting & You website mapping tool being value additive for their outreach. Common Cause-NY led community mapping workshops to familiarize activists with the principles of redistricting and mapping to assist communities in participating in redistricting. The NY Civic Engagement Table (NYCET) released a tool guide sharing helpful training information for the various mapping tools available to the public. The NYCET noted that the many free mapping tools were easy for the public to use and prevented a reliance on costly services like Maptitude. Relatedly, some groups expressed interest in having access to a community mapper outside of a shared demographer used for traditional unity maps.

- ✓ **There is a need for more community education and training:** State advocates indicated that community members needed more education about the New York redistricting process and what opportunities the public had to impact mapping decisions. As stated previously, there was a significant barrier in accessing bilingual support through the state redistricting website. Often a community organization translated for them because they lacked faith that the state would provide reliable access to translation. As such, CBOs should budget for oral and written translation.
- ✓ **New York needs broad reform of the state redistricting process:** All participants in this report agree that the current version of New York's redistricting commission is flawed and needs reform to function in 2031. One advocate noted that Syracuse has a well-functioning citizen commission that could be a model for statewide reform. Some solutions may be found in legislation; however, most advocates feel that a campaign to create a truly independent redistricting commission is needed. This level of change would require a constitutional amendment and at least five years in planning to get a new commission question on the ballot. New York does not have a culture of ballot referendums during elections so there would also need to be a great deal of community education and mobilization.
- ✓ **Comprehensive and extended funding beyond a redistricting year is critical:** A significant portion of the funding for New York organizations went to good government and legal groups. While this was necessary, there may have been gaps in funding to local community organizations. These are the groups that do education, translation of materials, and organizing of rallies and public hearing testimony. Because the 2021 IRC process is still ongoing in 2023, community groups have been expected to stretch redistricting funding while managing competing civic engagement priorities, therefore, there is a need for increased local funding to ensure community participation. Further, several groups indicated that the role of CBOs should be elevated moving forward; these groups had to educate and organize communities amidst the COVID-19 pandemic and competing electoral campaigns.



## BACKGROUND:

North Carolina’s congressional and state legislative maps are drawn by the state legislature and are not subject to veto by the governor. The congressional and state legislative maps originally passed in the 2021 cycle by the General Assembly were struck down by the North Carolina Supreme Court in 2022 as unconstitutional partisan gerrymanders and remedial plans were implemented for the 2022 election cycle.



State legislators appealed in *Moore v. Harper* to the U.S. Supreme Court on a fringe theory known as the “independent state legislature theory,” arguing they could draw congressional districts with no state court oversight. The Court fully rejected the appeal in June 2023.<sup>60</sup> However, due to a change in partisan composition of the North Carolina Supreme Court in the 2022 election, a conservative majority reversed its earlier decision rejecting partisan gerrymanders. This paved the way for new congressional and state legislative plans to be drawn by the General Assembly ahead of the 2024 election cycle.<sup>61</sup>

## COMMUNITY OF INTEREST STORY

*“Ten years ago, no one was paying attention, but now everyone has something to say.”* - Tyler Daye (Common Cause NC) paraphrasing a redistricting committee member

Multiple advocates spoke about the legislature’s disregard for community testimony, and in some cases the misrepresentation of public comments to argue against the points they originally presented. In the Triad, an area between Greensboro, High Point, and Winston-Salem, there were numerous comments from community members asking the legislature to keep the area together in one district due to shared economic and political interests. Despite the community testimony, the legislature used the advocates’ testimony against them, particularly, the testimony of Southern Coalition for Social Justice (SCSJ)’s CROWD Academy fellows. They ended up splitting the Triad into four districts with Greensboro itself split between three districts.

## OVERALL STATE GRADE: F

**Limited hearings:** Advocates stated that there were significantly fewer hearings held this cycle than in the last cycle. There were only a handful of meetings after maps were made public, and hearings were held in areas of the state without regard to population centers. Although hearings in rural areas did allow more participation in rural counties, there were no hearings in some major urban centers, including in Guilford County, the third largest county in the state and home to Greensboro, which was split into three districts.

**Poor accessibility:** Hearings were often held in the middle of the day with no language access provided nor assistance for those who are hard of hearing. There was no effort to make hearings accessible to all areas of the state.

**Disregard of public input:** There was no indication that the public input and comments that were received were being incorporated into the map drawing process. In some cases, the public’s testimony was used against them to justify gerrymandering.

## AVERAGE LOCAL: D

Advocates indicated mixed but largely negative experiences of processes with local redistricting. In North Carolina, as in many other Southern states, there are often issues in counties where Boards of Commissioners are elected at large. In other areas, there are multi-member districts that pack Black voters or other voters of color.<sup>62</sup> The prevalence of at-large redistricting systems in North Carolina harms minority representation at the local level.

Some local-level commissions had varying levels of success due to ultimate decision-making power being in the hands of the city council within their municipalities. Because local redistricting occurs at a smaller scale, some people did say that the process was easier to follow and to engage in than the state and congressional process. Organizations said they were often successful when they did catch representation issues, but they weren't able to monitor the entire state to address every problem.



COMMON CAUSE NORTH CAROLINA

Students join Common Cause North Carolina at NC A&T State University in Greensboro for a rally to unify the campus, which was previously split into two congressional districts.

## LESSONS LEARNED

- ✓ **Specific examples of local impact work in advocacy:** Some organizations, like the Common Cause North Carolina and Southern Coalition for Social Justice (SCSJ), chose to focus on holding events in places split by redistricting in the past, such as Concord, North Carolina Central University, and North Carolina A&T. Being able to speak to the specific local impact of past gerrymandering and give tangible concrete local examples allowed advocates to better engage local communities.
- ✓ **Framing specific to Southerners is important:** Southerners understandably have specific concerns and interests when it comes to redistricting, particularly due to a history of disenfranchisement and rigging of the political system that has created cynicism in the ability to make change in the system. Focusing messaging on access to resources, representation, and responsiveness of elected officials were helpful framing tools for discussions. Groups like SCSJ would meet with local communities to find issues specific to those towns and places and frame all trainings in relation to local issues. The South is not a monolith, and communities within each state have their own concerns. By being able to approach people where they are, organizations were better able to mobilize people.

- ✓ **Include more hyperlocal messaging and organizing:** Every hearing was packed because of grassroots and hyper-local organizing. Messaging that works in one community may not work in another. It is necessary to understand the diversity of experiences within the state and to not apply a one-size-fits-all approach.
- ✓ **Redistricting is a movement-building opportunity:** Tens of thousands of people turned out to get involved in the redistricting process, and more organizations were involved than ever before. Organizing around redistricting is an opportunity to bring more people into the movement and build relationships between organizations.
- ✓ **Earlier coalition building is needed:** Advocates spoke of the difficulty in establishing and building momentum as a coalition. Although everyone spoke highly of the strength of the civic engagement coalition in North Carolina, many wished that coalition building and education on redistricting had begun earlier, as it took time to build expertise and make sure everyone knew the stakes in order to make decisions effectively as a group.
- ✓ **More GIS and mapping trainings in future cycles:** One advocate noted that drawing your own map is an empowering experience, especially for Black and brown elders. By providing people with access to tools and information, you can show people that what they are doing in the legislature is something you can also do. The issue is access, and training people to draw their own maps can help level the playing field. Tools like Dave’s Redistricting App, Representable, and District were invaluable for many advocates during the redistricting cycle in allowing people to draw their own maps.



Students join Common Cause North Carolina at NC A&T State University in Greensboro for a rally to unify the campus, which was previously split into two congressional districts.





## BACKGROUND:

North Dakota has only one congressional district, so there is no congressional redistricting. State legislative lines are drawn by the legislature and adopted as regular legislation, subject to gubernatorial veto. There are multiple federal court cases in progress challenging the state legislative maps as racial gerrymanders or as diluting Native American votes under the Voting Rights Act.<sup>63</sup>



## COMMUNITY OF INTEREST STORY

*“If no one’s watching in Indian Country, some local jurisdictions are more than happy to dilute the Native vote.” - Sam Kelty, Native American Rights Fund*

The redistricting process in North Dakota was marred by the significant diminishment of Native representation in the legislature. One example of this was packing and cracking of the Turtle Mountain Band of Chippewa and the Spirit Lake Nation. For years, voters on and around the Turtle Mountain Reservation have been able to elect three representatives of their choice to the state legislature. Despite an increase in the state’s Native population, the legislature redrew districts in a manner that reduced that representation from three to one. A federal court case challenging these lines for diluting Native voting power claims that the new maps packed Turtle Mountain tribal members into one House district and left Spirit Lake out of a majority-Native district, reducing the voting power of both tribes. As a result of this and the requirement that two House districts be nested in each Senate district, Native voters in North Dakota were not able to elect a Native representative to the State Senate for the first time since 1991.<sup>64</sup>

## OVERALL STATE GRADE: D+

**Refusal to engage with tribes:** One consistent criticism of North Dakota’s redistricting process was the legislature’s refusal to engage the sizable Native population in the state. The committee did not hold hearings on reservations despite multiple formal requests to do so and argued that receiving information from a third-party liaison to tribes was sufficient. As one advocate put it, tribes were begging to speak directly to the redistricting committee but were largely blocked from the process.

**Lack of opportunity for public input:** Advocates also spoke to the lack of opportunities to testify about the maps they wanted. They rated the redistricting committee very poorly across the board for public outreach and education. They also highlighted that meeting locations were in two urban cities, hundreds of miles away from reservation communities. Opportunities for remote testimony existed but were not well publicized, leaving rural Native communities shut out of the process.

## LESSONS LEARNED:

- ✓ **Public requests help with legal cases against unfair maps:** Ensuring that requests from various tribal nations to meet or hold hearings on reservations were made formally and publicly creates an effective record of evidence for legal cases challenging maps unfair to Native communities. Documenting attempts to engage the legislature, even if they fail, is important to help bolster claims under the Voting Rights Act against unfair maps.

- ✓ **Add capacity for more mapping and legal experts based in North Dakota:** Mapping experts and analysts were stretched thin during the redistricting process, which often required quick analysis of draft maps and the rapid dissemination of this analysis to partner groups. Training or hiring more mapping and legal experts who are local to North Dakota and understand the political landscape would help greatly with advocacy efforts. Some advocates stated they thought the legislature responded better to local experts as well, or people who were based in North Dakota and could show up in person to meetings.
- ✓ **More funding is needed for local groups and lobbyists:** Advocates rated the civic infrastructure of North Dakota very poorly (averaging 3 out of 10) and spoke of the need for more funding for local organizations engaged in this work. One advocate described the need for funding to hire additional lobbyists who can work with legislators, as opportunities for public input often excluded people from the process. Lobbyists can often provide key links between the public and legislators.



## BACKGROUND:

In 2015 and 2018, reformers in Ohio pushed legislators to change how redistricting is conducted in the state. Facing the prospect of more sweeping reform through ballot initiatives, legislators agreed to amend Ohio's constitution to make changes to redistricting that created greater incentives for bipartisan cooperation while leaving the power to draw districts in elected officials' hands. For state legislative districts, the new redistricting process empowers a seven-member politician commission. If a map passes with a majority of the commission that includes two or more votes from the minority party, the map will be in effect until the next decennial census. If it passes with a majority that includes fewer than two minority party votes, it will go into effect for two election cycles only and the process will be repeated.



For U.S. House districts, the new system gives the Ohio General Assembly the first opportunity to draw a map. If the legislature fails to approve maps with a supermajority vote, the same seven-member politician commission described above takes over. If the commission also fails, the General Assembly is again empowered to draw the map as a regular statute, subject to veto by the governor. If a map passes the General Assembly or the backup commission with a bipartisan supermajority vote, the map will be in effect until the next decennial census. If the General Assembly passes a map with a simple majority, it will go into effect for two election cycles only and the process will be repeated.

## COMMUNITY OF INTEREST STORY

Ohio activists energetically organized communities across the state to tell their stories. Unfortunately, the politician redistricting commission and legislators in charge of drawing maps largely ignored hundreds of community maps and hours of detailed written and verbal testimony to keep a laser focus on partisan advantage. However, one success story came through. The Fair Maps Ohio coalition energized residents of the City of Dayton to push back against a needless city split that would have divided city residents from the places where they obtain essential goods and services. This placed Dayton residents at risk of being represented by legislators with less incentive to ensure that the hospitals, schools, and other locations they depend on received adequate funding. Thanks to extensive testimony, residents pushed back and demanded inclusion in the same district. Unfortunately, most communities in Ohio had less luck advocating for a people-first approach to redistricting.

## OVERALL STATE GRADE: F

**Partisanship trumps reform:** Unfortunately, this cycle, the Republican majority in the legislature and the politician commission showed no interest in bipartisan cooperation and drew maps designed to maximize the number of Republican seats. The Ohio Supreme Court struck down state legislative maps five times and the congressional map twice, determining that both violated state constitutional prohibitions against partisan gerrymandering. Despite these constitutional violations, state law contains no provision for an alternative body to draw districts. As a result, elected officials ran out the clock by making minimal boundary adjustments that did not cure the constitutional violations. As a result, in 2022, Ohioans were forced to vote in congressional and state legislative districts that were unconstitutional.



This redistricting cycle in Ohio provided a textbook example of the lengths elected officials will go to prioritize partisanship over fair representation for the public. The redistricting reforms Ohioans approved in 2015 and 2018 included provisions requiring some proportionality in partisan outcomes, which means that a party that wins 55% of the vote should win about 55% of the seats. A bipartisan majority of the Ohio Supreme Court held that map drawers ignored this requirement and instead focused on maximizing the number of Republican seats to the exclusion of all other objectives. As the Dayton example above illustrates, advocacy made a difference in some small ways. Longtime redistricting reformer Richard Gunther noted that “the difference between Map 1 and Map 3 showed that we had some impact.” Prentiss Haney of the Ohio Organizing Collaborative observed that advocacy “made a difference in ensuring that the worst maps were not passed.”

However, despite some successes on the margins, the process and results were unmitigated disasters. Common Cause Ohio’s Catherine Turcer summed it up best when she said that legislators are “willing to violate the Ohio Constitution, the expectations of Ohio voters, and are willing to tell the Ohio Supreme Court to jump in a lake.” As a result of the complete disregard that the Republican majority on the Ohio Redistricting Commission and in the General Assembly showed for the rule of law in Ohio, the state’s redistricting process receives an F grade.

## LESSONS LEARNED:

✓ **The process must be removed from legislators’ hands:** The primary problem with Ohio’s existing process for drawing districts is the active participation of elected officials. The existing design of Ohio’s redistricting reform fails to provide sufficient protections against a partisan process. In addition, the Ohio Constitution does not empower a court or any alternative body to draw districts if the commission or legislature passes an illegal map. The willingness of Ohio Republicans to ignore the rule of law this redistricting cycle provided one of the most vivid examples of the need to create a redistricting process that fully excludes self-interested elected officials.



✓ **Direct democracy fuels people power:** Fortunately, Ohio is a ballot initiative state in which sweeping reform is more easily accomplished than in states where reform must be passed by legislators. Redistricting reformers have enjoyed the most success in states with a ballot initiative option because elected officials jealously guard the power to manipulate voting districts. Notably, attempts were made to amend the state constitution during an August 8, 2023 special election. HJR 1 would have required a 60 percent threshold for passing a constitutional amendment by ballot initiative. This measure was aimed at stopping efforts to strengthen reproductive rights and reform redistricting but was defeated with 57% of voters opposing the amendment.

## BACKGROUND:

Oklahoma's congressional lines are drawn by the state legislature and subject to a gubernatorial veto. The legislature is also responsible for drawing state level legislative lines, but if they fail to pass a plan the responsibility passes to a seven-member backup commission.<sup>65</sup>



## COMMUNITY OF INTEREST STORY

*"This process was the most transparent it's ever been in state history because of advocacy, but the proof is in the pudding."* - Andy Moore, Let's Fix This

Multiple subjects interviewed spoke to the splitting of Latinx communities in Oklahoma City in the state congressional maps. There was a significant gap in civic engagement and outreach to the Latinx community, and the community ended up getting split in the congressional plan despite extensive organizing.

## OVERALL STATE GRADE: C+

**Most transparent process ever, but limitations still existed:** The public was invited to submit complete maps and the state legislature held redistricting town halls throughout the state, which they had never done before. Redistricting meetings were held at different locations across the state with opportunities for public comment, but the public comment period was short and not broadcast widely. Additionally, partial or incomplete maps were not accepted, and the only opportunity to submit community of interest-level information was to individual legislators.

**No opportunity to respond to draft maps:** Although there were opportunities to submit draft maps and public comments, there was no opportunity for the public to comment on draft maps.

**Limited town halls:** Opportunities for public input were limited to a handful of town halls, with two virtual-only town halls and several others that were livestreamed but only available for comment in person. The website was difficult to manage, and there was no opportunity to submit comments virtually.

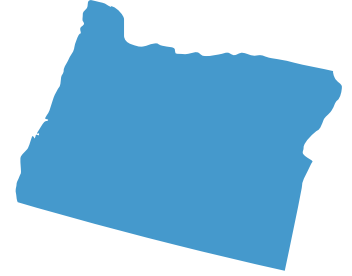
**State legislature exempt from open records requests:** One advocate stated this was particularly difficult and that the legislature would use procedural specifics to avoid transparency.

## AVERAGE LOCAL: C

In Oklahoma, each county has only three county commissioners, who each wield significant power at the county level. The state government offered to use resources to draw Board of Commissioners districts for all counties - but because state government is exempt from open records requests and county and local level governments are not, this essentially moved local redistricting behind a curtain and limited public input. Results varied across the state, but this was a major problem with transparency across the board.

## LESSONS LEARNED:

- ✓ **Failed petition for an independent commission still had an impact:** Although a petition for an independent redistricting commission failed due to COVID-19 difficulties and political issues, advocates believe this attempt did draw attention to redistricting and resulted in the legislature deciding to have public meetings about redistricting.
- ✓ **Advocacy worked and achieved more transparency and public input:** Advocacy efforts in the past few years have drawn attention to redistricting in Oklahoma, and there was a marked increase in participation, interest, and transparency in the process.
- ✓ **Larger narrative fails with a partisanship and partisan lens:** One advocate stated that the media often took a partisan lens in covering Oklahoma redistricting, which they believe hurt organizing efforts by making it seem like a partisan horse-trading game instead of an issue of public interest and accountability for people across parties.
- ✓ **Advocacy must start earlier:** Advocates spoke of the need to get organizing work started years before the redistricting process, especially if working for a ballot initiative or any reforms.
- ✓ **More education is needed going forward:** Most people do not know about redistricting. It is critically important to create a larger culture of civic engagement and tie redistricting to other, more familiar topics for people.
- ✓ **Watch for small ways the legislature subverts the process:** Advocates spoke to how the legislature subverted an open process and forced organizers to participate on their terms - through small rules that allowed for exemptions to open records requests and open meeting and only allowed input in specific ways (through Dave's Redistricting App, by email, etc).
- ✓ **Transparency is not enough:** Oklahoma had the most transparent process in its history, but as Andy Moore from Let's Fix This said, "the proof is in the pudding." Transparency and significant public input do not automatically translate into wins and outcomes that protect communities, especially communities of color.



## BACKGROUND:

In Oregon, the state legislature draws congressional and state legislative districts, subject to gubernatorial veto. If the legislature fails to approve a map, the responsibility shifts to a panel of judges (for congressional maps) and to the Secretary of State (for state legislative maps). Redistricting reformers are currently working to gather signatures for a 2024 ballot initiative to create an independent citizens redistricting commission in Oregon.<sup>66</sup>

## COMMUNITY OF INTEREST STORY

Native Americans across the state worked to keep their communities, which were located on and off reservations, together in the final redistricting maps through public education and testimony-writing workshops. This work was an extension of previous efforts to boost census completion and increase voter turnout in Native communities. Jaylyn Suppah of the Tribal Democracy Project said, “We need to... be a vein of information and resources for things our communities are not part of, where the systems [were] not built for us and sometimes [were built] against us.” Ultimately, tribal leaders and advocates were dissatisfied with the lack of genuine outreach by the state, and by the final maps which separated Native communities that live on and off reservations but interact and are connected day-to-day. Nevertheless, advocates noted an increase in coalition knowledge around redistricting and an increase in redistricting advocacy across tribal communities in the state. This work will continue through efforts such as the Tribal Democracy Project - an effort that increases civic participation, for example, by way of voter registration and redistricting advocacy.

## OVERALL STATE GRADE: C-

**Insufficient outreach:** Though there was a public website, advocates felt that public outreach was lacking. Many advocates received state redistricting information through community organizations rather than the state or local officials. Further, some advocates felt the website was not easy to navigate.

**Inadequate incorporation of feedback:** Not all advocates believed that public input was adequately incorporated into the final maps. A community organizer and member of the Confederated Tribe of Warm Springs (CTWS) believed that legislators tokenized tribal input rather than truly listening to it. For example, many pieces of public testimony stressed that, while the proposed (and final) maps technically kept tribal lands together, they split the Warm Springs Reservation from the city of Madras. While Madras is not within the confines of the reservation, it is a city in which many tribal community members live, shop, and go to school. Further, in the previous official map, the two were kept together.

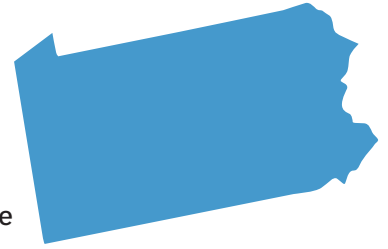
**Technical barriers:** While the public could submit their own maps as a form of public testimony, advocates did not feel that the process was easy to navigate. For example, submitted maps had to be statewide, rather than regional, district-by-district, or community maps. Therefore, the task was more time intensive. Further, some felt that the publicly available mapping tool provided by the state was too complex to use. Advocates felt that more maps could have been submitted had the process been easier.

## LESSONS LEARNED:

- ✓ **Momentum grew for an independent commission ballot measure:** Many of those interviewed expressed concern that the legislature's involvement in redistricting has led to incumbency protection and disenfranchisement of voters of color, particularly rural voters of color. This brought to light the need for an independent redistricting commission in the state, and efforts to establish a commission have again taken off, with a focus on placing an initiative on the 2024 ballot. A broad coalition of organizations working in partnership with People Not Politicians supports this effort.
- ✓ **Tribal redistricting advocacy expanded:** Advocates noted an increase in coalition knowledge around redistricting and an increase in redistricting advocacy across tribal communities in the state. Two advocates highlighted the ongoing Tribal Democracy Project - an effort that increases civic participation by way of voter registration and voter turnout - and how redistricting folded into that work.
- ✓ **More outreach should be conducted by the state:** Advocates spoke to the lack of adequate outreach by the state. For example, a member of the Confederated Tribe of Warm Springs recalled that only about 5% of their community knew about the redistricting process. Once organizers learned about the process, many wished they had started advocacy efforts sooner within their communities; notably, advocates also wished they had connected their census outreach to redistricting public education.
- ✓ **Redistricting must respect tribal communities' sovereign status:** Tribal advocates and leaders repeatedly spoke to the treatment of tribal communities as community organizations rather than sovereign governments. One organizer noted that, in the only official meeting held with tribal leaders, which was scheduled last-minute, not all nine tribes could attend. Legislators' lack of outreach and their unwillingness to incorporate feedback from Native American leaders led tribal communities to believe that legislators had little interest in their feedback. It also left them dissatisfied with the final redistricting maps.

## BACKGROUND:

Congressional redistricting is conducted by the state legislature as a regular statute and subject to a gubernatorial veto. The Pennsylvania General Assembly is redistricted by the Legislative Reapportionment Commission, which is a politician commission. The 2021 commission consisted of five members: the caucus floor leaders from both the state house and state senate, and a member appointed by the state supreme court.



## OVERALL STATE GRADE: C+

**Improved process for state legislative redistricting:** Redistricting for the General Assembly was conducted by a five-person commission, led by a nonpartisan chair appointed by the state supreme court. Advocates broadly remarked that the line-drawing process for the state senate and state house were markedly more transparent, open, and responsive than prior cycles. The Legislative Reapportionment Commission (LRC) conducted various hearings where they explicitly invited advocacy groups to provide testimony, held meetings at various times with hybrid options to allow for greater participation, and ensured that transcripts and testimony were made available online. The LRC encouraged the submission of communities of interest (COI) maps, reassigned most of the prison population back to their home communities, and incorporated public testimony alongside community map submissions in its decision-making—all resulting in fairer and more representative maps.

**Less transparent congressional redistricting:** However, the state legislature-led redistricting of congressional lines had a markedly different process—one that advocates noted was less transparent, less responsive to public input, and ultimately required the state supreme court to step in and implement a map after an impasse between the legislature and the governor. Despite having a public comment portal, advocates noted it was unclear if any of the comments and testimony provided by the public were actually taken into consideration in the maps proposed by the state legislature, and that those proposals did little to incorporate community of interest feedback.

**Strong civic engagement ecosystem:** Many organizations and coalitions participated in the redistricting process in Pennsylvania, educating and driving community members to participate in providing testimony and in hearings, gathering hundreds of community maps to create unity maps, and pushing the LRC to create a more open and transparent process that ultimately resulted in more representative districts.

## LESSONS LEARNED:<sup>67</sup>

- ✓ **Communities had greater influence in the redistricting process:** Advocates all remarked that community voices, testimony, and community-drawn map submissions had a greater impact on the outcome of the state legislative maps drawn by the LRC this cycle than in past redistricting cycles. There were key priorities that were won because of advocacy work, including the partial end of prison gerrymandering and the reassignment of some of the prison population back to their home communities and pushing to include experts of color to provide testimony before the LRC. The final maps adopted by the LRC better reflected communities of interest and advocates widely remarked that the organizing and advocacy throughout this redistricting cycle made a noticeable difference in the final state legislative maps.



- ✓ **Organizational and community engagement strengthened:** Many advocates noted that organizations and coalitions were able to work together to advance the interest of communities on the ground, and to bring community members in and uplift their voices. The cross-pollination between groups and coalitions and focus on creating the most representative map is possible led to the creation of hundreds of COI maps, increased engagement in testimonies and public comments, and more robust public awareness of the redistricting process.
- ✓ **Redistricting process must be improved:** Advocates noted that more structural reforms are required to bring more transparency and public engagement for congressional redistricting, and to ensure that state legislative redistricting is not wholly dependent on who is appointed to the commission. These structural reforms may range from legislation clarifying map-drawing criteria to a constitutional amendment implementing an independent redistricting commission in the state.
- ✓ **Increase transparency within the state legislative redistricting process:** While the LRC process was a marked improvement from past cycles, some changes that would strengthen the process include putting in place additional transparency and public engagement procedures that would expand in areas such as language access, the diversity among testifying experts, and more public education from the LRC.
- ✓ **Begin outreach and education sooner:** Earlier outreach and education efforts, including tying redistricting work into the census and including redistricting in voter outreach efforts, would strengthen advocacy work in future redistricting cycles. Additionally, identifying methods to sustain the engagement of community members is critical to ensure community voices are heard throughout the redistricting process.



## BACKGROUND:

Rhode Island's congressional and state legislative lines are drawn by the state legislature as a regular statute, subject to gubernatorial veto. The state also has an 18-member advisory commission. The state Senate President and Speaker of the House each choose four commissioners: one member of the legislature and three non-legislators. The state Senate and state House minority leaders each choose two additional commissioners. In 2021, this commission recommended congressional and state legislative plans to the legislature, which could adopt, modify, or ignore the commission's proposals.



## COMMUNITY OF INTEREST STORY

Organizations noted that prison gerrymandering advocacy was an impactful example of community involvement. This work was focused on Cranston, RI which houses the state prison system. Common Cause, ACLU-RI, Prison Policy Initiative, Black Lives Matter PAC, and Direct Action for Rights and Equality (DARE) coordinated organizing efforts and recruited affected communities to provide testimony on the impact prison gerrymandering had on their lives. DARE also conducted grassroots organizing events across Providence.

Outside of prison gerrymandering efforts, very few people were interested and willing to draw COI maps. The advisory commission held more than a dozen hearings throughout the state which were simulcast on Capitol TV and live-streamed. The commission only advertised the hearings through their normal channels (Twitter, Facebook) and did not do any community outreach. Some incumbent members of the legislature mentioned the hearings in their campaign newsletters. The commission and Common Cause Rhode Island made an online tool available for drawing COI and full maps. Efforts were made once the draft maps were released, and some communities were upset about portions of the maps. Coalition advocates submitted approximately a dozen COI maps on the state website.

## OVERALL STATE GRADE: C-

### LOCAL GRADE IN PROVIDENCE: B

**Inadequate public engagement:** The state created a website to store redistricting information but did almost nothing to promote the site or public hearing schedule. Advocates stated that the commission did not deliberate about the maps in public or seem to consider any testimony when drawing the final maps. Additionally, the commission often posted notices or changed sessions at the last minute. This left organizations feeling unprepared and could have impacted community involvement.

**Lack of language accessibility:** The state commission featured Spanish speakers, but all hearings were only broadcast in English, and advocates did not see any interpretation resources available. Although the state may have struggled to provide language support, the city of Providence encouraged residents to use Representable because of the platform's functionality in Spanish.

## LESSONS LEARNED:

- ✓ **Shifting priorities during pandemic created challenges:** The COVID-19 pandemic created several challenges during the 2021 redistricting cycle. The organizations working on redistricting stopped meeting at the beginning of the pandemic and did not find a good virtual platform to continue meeting. The state commission allowed written testimony to be submitted online but had no opportunity for live testimony over virtual platforms. The state and organizations should address the need for better tech and digital options for community involvement in future cycles.
- ✓ **Steps were made towards complete prison gerrymandering reform:** In early 2022, the state redistricting commission voted to count a portion of the Adult Correctional Institute (ACI) population at their home residence for state and congressional districts. This change accounts for roughly 44% of people currently incarcerated. Advocates credited the turnout for the special prison gerrymandering hearing and decades of advocacy as partially responsible for this vote. Organizations continue to press for complete prison gerrymandering reform ahead of the 2031 process.
- ✓ **More investment in public education is needed:** Organizations in the state understand the need to build organizing capacity for redistricting. In 2021, the state lacked grassroots engagement, and advocates reflected that they should have prioritized this aspect of the redistricting work.
- ✓ **Clarity on Voting Rights Act analysis is important:** Advocates said they needed to be better prepared to conduct a Voting Rights Act analysis once official maps were released. Several national groups had initially offered but, due to timelines and other priorities, did not have a chance to help Rhode Island with this request. It will be important to identify in-state analysts before 2031.

# SOUTH CAROLINA



## BACKGROUND:

In South Carolina, congressional and state legislative lines are drawn by the state legislature and adopted as a regular statute that is subject to a gubernatorial veto.



## OVERALL STATE GRADE: D+

**Racial gerrymandering in congressional redistricting:** During the redistricting process, advocates in the state pushed legislators to ensure that a congressional district was preserved to ensure that Black voters had an effective opportunity to elect their preferred candidates. They also urged legislators not to pack Black voters in any given district or split them away from their communities of interest. However, in January 2023, a federal district court found that the state engaged in racial gerrymandering when enacting its congressional map.

**Insufficient public input:** Although the state legislature conducted some public hearings and there was opportunity for advocacy groups to submit draft maps, advocates noted that there was no clear indication of how input was received and integrated into legislative decision-making leading people to believe that the state legislature did not consider public input. While information on hearings was posted online, there were few other methods of dissemination, and often hearings were held only days after draft map proposals were released. Finally, most of the hearings conducted this cycle took place before census data was even made available, with more limited options during the actual line-drawing process.

## LESSONS LEARNED:

- ✓ **Some limited opportunities for public input existed:** The state legislature did provide some opportunity for public testimony and input alongside public-facing websites and publicly released draft proposals. The state House Redistricting Committee alone conducted eleven public hearings before any plans were proposed. However, it was clear that the opportunities for the public to give feedback on drafted maps were insufficient, the timing precluded thorough public review, and many of the meetings did not provide remote options.
- ✓ **Better outreach and public education are necessary:** Although the state legislature had a public-facing website where information was posted, advocates noted that stronger outreach and public education were both necessary to ensure that community members had the tools to actually engage in the redistricting process.
- ✓ **The state needs a more open process that actually incorporates public input:** The first proposals released by the House Redistricting Committee came on December 13, 2021, and a hearing was scheduled only days later on December 16. This is but one example of this redistricting cycle not providing sufficient opportunities for public review and input after draft maps were prepared. Advocates also noted that testimony calling on legislators to keep communities of interest together often was not taken into account. A more open process that clearly incorporates public testimony and input is necessary in future redistricting cycles.
- ✓ **Start the education and outreach cycle sooner in the community:** Advocates engaged in the redistricting process during this cycle in South Carolina noted that there needs to be stronger public education regarding redistricting to make sure that people understand what is at stake and to make sure that they stay engaged. By starting earlier in future redistricting cycles, this would provide more time to educate and engage the public.



## BACKGROUND:

South Dakota's state legislative lines are drawn by the legislature as a law subject to gubernatorial veto. The state has 35 multi-member legislative districts, with each including two state house members and one state senator. South Dakota only has one congressional district.



## COMMUNITY OF INTEREST STORY

*“One of our main strategies was to be present. To ensure that every time a sentence is given talking about tribes, sovereignty, and rights as a citizen of that state - that Native people were present. - OJ Semans Sr., Co-Executive Director, Four Directions*

OJ Semans Sr., Co-Executive Director of Four Directions, shared a few key wins for Native communities of interest in South Dakota. The Crow Creek and Lower Brule reservations were drawn into a single state legislative district to preserve reservation boundaries. This was a significant win, as state legislators have usually tried to break up reservation boundaries as much as they could. Additionally, in State Legislative District 32, which includes part of Rapid City, about 400 tribal members live in a housing community called Lakota Homes. For years, the community has been divided between three different state legislative districts, but during this redistricting cycle, they were able to advocate and be drawn into one single district. Though they are not the majority, Native people are now between 30-40% of the voting age population of that state legislative district, creating opportunities for Native people to be a political force. Both of these wins speak to the power of Native organizing in the state.

## OVERALL STATE GRADE: C+

**Open (to an extent):** The legislature held numerous hearings and allowed testimony from community members, but there was not sufficient local education about redistricting, and legislators did not spend time engaging publicly on the details of the redistricting process.

**Responsive to requests:** There was significant pressure on the legislature from the community, especially Native organizers, for more engagement with tribal leaders and to engage with Native communities in hearings on reservations. This pressure led to a more responsive legislature. One advocate from the Native American Rights Fund indicated that this might have been due to fear of being sued and the legacy of *Boneshirt v. Hazeltine*, a statewide lawsuit in which judges found the state discriminated against indigenous South Dakotans by not thoroughly involving them in the 2001 redistricting process.<sup>68</sup>

**Not proactive in engaging tribes:** Although the legislature generally responded to requests from tribes, they were not proactive in actively seeking to hold hearings on reservations nor in engaging directly with tribal leaders and councils.

## LESSONS LEARNED:

- ✓ **Be in the room:** One advocate interviewed stated that a main strategy was to be present and ensure that a Native person was in the room every time the redistricting committee was holding hearings

or discussing tribal related issues to hold legislators accountable and remind them of the power and presence of tribes in their state.

- ✓ **Work with friendly legislators:** Successful organizers worked with supportive legislators to find out what was going on behind the scenes, see proposed maps, and share those maps with coalition partners. Advocates stated that they drew heavily on the expertise of legislators and other informed and engaged allies due to the complexity of the redistricting process.
- ✓ **Work together with tribal leaders:** Organizations were successful in working with tribal leaders and tribal councils throughout South Dakota, getting them to show up and testify about redistricting despite major barriers to access for under-resourced communities.
- ✓ **Funding for local organizations:** Advocates spoke of the importance of local organizations leading the fight in redistricting, and the importance of funding going directly to local organizations. Local organizations and coalitions know their communities and the political landscape best and would benefit from receiving more funds directly from funders. More funding would allow them to better do the work of training people to testify, working with tribes, and bringing tribes together and to the table that are under-resourced and overworked.
- ✓ **Let local partners take the lead:** Leaders also spoke to the importance of having redistricting campaign coordination led by local partners, with national organizations stepping in for support but not leading. Letting local organizations take the lead was crucial to organizing successes on the ground.
- ✓ **More education and census focus:** Leaders spoke to the importance of public education and the need for more op-eds, articles, or ads on radio stations and other media outlets to educate people on why redistricting matters. Some advocates also spoke to the importance of focusing more on the census in Indian Country and connecting the census to redistricting. Multiple steps need to be taken to make sure Native people are not undercounted, including tribes taking over the census locally, hiring tribal members as census workers, or hiring tribal members as escorts to guide census workers around reservations. All of these strategies can help ensure more equitable redistricting in the future for indigenous South Dakotans.





## BACKGROUND:

Tennessee's state legislative and congressional district boundaries are determined by the state legislature, subject to a gubernatorial veto.



## COMMUNITY OF INTEREST STORY

Tennessee advocates noted blatant and strategic racial gerrymandering on the part of lawmakers, highlighting an egregious example in North Nashville, a historically Black neighborhood in the state's capital. Vincent Dixie, the former head of the Tennessee Legislative Black Caucus and the Chair of the Democratic Caucus at the time, was drawn out of his district in an early draft map. In the process, a district that most consistently allowed some of the city's Black residents to elect their candidate of choice would have been decimated. Pressure from community advocates and legal questions about unlawful racial gerrymandering resulted in the legislature reversing course and keeping Dixie's district whole. Yet, the legislature's reversal was an outlier.

Organizers expressed that the legislature stood its ground on the wrong side of the public interest in all other disputes regarding redistricting. According to advocates, the final maps harmed minority voters and opportunity districts through excessive partisan gerrymandering and county splitting.

As such, a lawsuit was filed in August 2023 by a coalition of community organizations and voters (including the League of Women Voters of Tennessee, the Tennessee State Conference of the NAACP, and the African American Clergy Collective of Tennessee) alleging that Tennessee's congressional and state senate redistricting maps were created with the intention of discriminating against Black voters and other voters of color.

## OVERALL STATE GRADE: F

**Disregard of public input:** Opportunities for input were limited and non-profit groups like the League of Women Voters of Tennessee, CivicTN, and the NAACP Tennessee State Conference had to step in to fill the gap.<sup>69</sup> Although the legislature allowed for the online submission of draft maps, maps had to be complete statewide maps and community of interest maps were not allowed. Advocates stated that the legislature's attorney rejected all maps submitted, saying they were not compliant with state law without providing further details. Additionally, there was no evidence that the legislature took public input into account as they passed final maps that were almost identical to the first draft of maps they shared with the public.

**Lack of language access and public participation:** Nonprofit organizations and activists had to provide materials and translation into languages other than English because the legislature failed to do so.<sup>70</sup> Legislators only accepted written submissions from the public and did not allow live testimony to be provided remotely. A Tennessean seeking to provide live testimony on redistricting had to be physically present at the Tennessee State Capitol in the middle of the day when many people are at work.

**Lack of transparency in how input was received:** The legislature's process was secretive and not open to public feedback. Legislators on the committee sometimes stated they had never seen maps, even as other legislators claimed they shared them with the entire committee. Coalitions submitted maps but never received timely feedback on their submissions or an indication of how their maps were taken into account.

## **AVERAGE LOCAL: D-**

Advocates gave local redistricting a slightly higher rating at a D-minus. There were more successes in organizing against egregious racial gerrymandering issues pertaining to Black and Latinx communities at the local level, but advocates highlighted significant problems with local redistricting in Fayette County, Clarksville, Covington, and Chattanooga.

## **LESSONS LEARNED:**

- ✓ **Partnerships matter:** Relationships with community-based grassroots organizations, national organizations, and mutual aid organizations were critical in mobilizing community members. Further, redistricting advocacy strengthened existing relationships among grassroots organizations. Organizations developed relationships, increased subject matter knowledge, and educated the public in ways that will continue to bear fruit in the future.
- ✓ **Engaging people directly affected works:** One organizer shared that presenting communities with opportunities to join strategy calls and informational sessions culminated in a rally and approximately 300 people speaking out about unfair maps.
- ✓ **Meaningful public input is needed:** Organizers fought for transparency and hearings, however, some advocates said this was not enough and that the legislature feigned a transparent process despite the lack of meaningful public input into the process.



## BACKGROUND:

In Texas, the state legislature draws congressional and state legislative districts and adopts the plans through the normal legislative process, subject to a gubernatorial veto. The congressional maps passed in 2021 were challenged in federal court for violating the Voting Rights Act's prohibition of racial gerrymandering. The state legislative maps passed in 2021 were resubmitted in 2023 to meet the state constitutional provision that districts be drawn "at its first regular session after the publication of each United States decennial census." [Tx. Const. art. III § 28]. The House and Senate resubmitted maps that were identical to the maps passed in 2021, despite pressure to make changes to better represent Black and Latinx voters.<sup>71</sup>



As of July 7, 2023, multiple court cases are proceeding through federal court challenging the new congressional maps as racially discriminatory in violation of Section 2 of the VRA. Nine cases were filed challenging congressional maps and multiple other cases were filed challenging legislative maps as racially discriminatory.<sup>72</sup>

## COMMUNITY OF INTEREST STORY

*"It's not that people are apathetic about politics, it's that the systems are really apathetic to the people." - Ashley Cheng, Founding President, Asian Texans for Justice*

Immigrant communities fought especially hard for language justice during this redistricting cycle. Many advocates spoke about the lack of translation service offered and how organizations banded together to advocate for interpretation services for Spanish-speaking and AAPI communities. The coalition did succeed in getting a budget rider item to fund translation services for redistricting meetings, but the legislature still required 72 hours notice to offer a translator, sometimes for meetings that were only announced 24 hours in advance. Through the Texas AAPI Redistricting Coalition, advocates encouraged people to testify in their native languages to prove how inaccessible the process was. Advocates were forced to provide community interpreters for people, assisting in seven languages other than English. Ashley Cheng from Asian Texans for Justice spoke about how AAPI communities, the fastest growing population in Texas, were routinely ignored and left out of the process, and how advocates helping community members provide in-language testimony provided an outlet for people to be heard, despite the legislature failing to provide equal access to immigrant communities.

## OVERALL STATE GRADE: D-

**Difficulty in accessing information:** Even for people deeply involved with redistricting and actively seeking information, finding out how to get involved proved difficult. The redistricting section of the Texas legislature's website was not well-publicized and it was largely left up to the advocacy community to translate complex information to the public about the process and how to get involved.

**Rushed timeline:** There were many opportunities to testify virtually and there was great turnout from communities of color despite hurdles to participation, but the process for passing maps was rushed.

Redistricting occurred during a month-long special session that did a poor job including the public. Hearings were often held with less than 24 hours notice, and only the House offered the opportunity for virtual testimony. Maps were passed quickly, within a week or two of the initial proposed maps, with few changes reflecting input from the community.

**Lack of language access:** The redistricting committee offered translation services after a public pressure campaign from immigrant organizations, but the process to request translation for testimony was entirely in English, difficult to navigate, and required requests 72 hours in advance.

### **AVERAGE LOCAL: C-**

Advocates gave an average grade of C- for local redistricting processes in their areas, citing specific local wins in Austin, Houston, and other areas that reflected more responsive and transparent processes than the state as a whole.

## **LESSONS LEARNED:**

- ✓ **Share the nitty-gritty details about how to get involved:** Organizations shared they were able to successfully engage people in the process by teaching them how to navigate often overlooked barriers to participation - i.e. how to get around the Capitol, how to get to meetings, and how to share specific stories about redistricting in testimony. Walking people through these processes built a sense of trust and made it easier for them to participate in a process not designed for them.
- ✓ **Education and outreach make an impact:** Texans Against Gerrymandering, their Fair Maps Texas Coalition partners, and other organizations were able to mobilize hundreds of community members to share testimony virtually and in person. According to one advocate, almost all people who testified used terminology they learned from advocacy organizations, showing the impact and importance of community education efforts.
- ✓ **Virtual testimony and participation succeeded:** One huge success from the redistricting coalition in Texas was the push to allow virtual testimony in the redistricting process. The redistricting committee was the only committee in the state legislature to offer virtual meetings due to years-long advocacy work by community organizations. This allowed hundreds more people to participate and was a great success, regardless of the results.
- ✓ **Maps and data help strengthen testimony:** Advocates emphasized that utilizing maps and data helped strengthen community testimony, and providing members of the public with these tools greatly strengthened their ability to represent themselves and their communities.
- ✓ **There needs to be more coalition districts and collaborative work across communities of color:** Despite incredible turnout and advocacy by communities of color and organizations fighting for these



communities, advocates lamented that the maps passed ultimately ended up drastically splitting communities of color, who make up 95% of the state's total population growth in the past decade.<sup>73</sup> There were no new opportunity districts created and house maps actually decreased the amount of majority Latinx and majority Black citizen voting age population (CVAP) districts.<sup>74</sup> Advocates from different communities of color were successful in advocating together, but there is further opportunity for pushing for coalition districts in 2030; advocates spoke of an overlap in support across communities of color on a number of issues.

- ✓ **More training on maps is helpful:** Advocates spoke of a learning curve in using maps and how and when to engage communities in mapping COI's. Some thought their voices wouldn't be heard; many people would speak to the process but not their specific COI, and more training could be helpful to bridge that gap in the future since maps strengthened community testimony and supported litigation efforts.
- ✓ **There is a need for funding:** Advocacy work around redistricting is time intensive and requires expertise and deep community relationships. Organizations need to stay engaged in this work despite the legislature ignoring a lot of the voices of people mobilized by the advocacy community, and that requires funding for grassroots organizations in the long-term fight for fair redistricting.
- ✓ **Connecting redistricting to other issues helps engagement:** Some advocates expressed they wished that they had done a better job connecting redistricting to voting rights work and voter suppression laws in Texas. Some advocates stated that they engaged many new people in the process, but it still felt like a loss, which was difficult for newly engaged activists. By connecting redistricting to other fights, advocates could keep people engaged for the long haul.





## BACKGROUND:

Historically in Utah, the state legislature draws congressional and state legislative districts, subject to a gubernatorial veto. In 2018, Utah voters passed Proposition 4 to create an advisory Independent Redistricting Commission and redistricting standards that would draw congressional and state election maps based on citizen input, which would be subject to an up or down vote by the legislature with an explanation for the vote. The initiative also bound all approved maps to the voter-centered standards created by Proposition 4. Just two years later, the Utah Legislature passed SB 200 and repealed Proposition 4, allowing the legislature to reject the commission's maps with no explanation or reason and making the standards non-binding.



The Utah Independent Redistricting Commission took extensive public testimony and created what many hailed to be fair maps. However, the legislature adopted congressional and state legislative lines that it drew itself. The state house and senate maps secured bipartisan support; the congressional lines were approved by only Republican legislators.<sup>75</sup>

## COMMUNITY OF INTEREST STORY

Salt Lake County includes Utah's most populous city, Salt Lake City, and multiple townships. In a state with over 3.3 million people,<sup>76</sup> Salt Lake County has one third of the state's population, with over 1.1 million people.<sup>77</sup> As the only major urban area in the state, it has unique challenges, including homelessness, water security, and transportation.

The final congressional map split Salt Lake County into four districts. While Salt Lake County's population would have required the county to be split into two districts, the four-district split meant that each congressional district had a piece of urban Salt Lake County combined with a far-flung corner of rural Utah. There was extensive public protest over the division, including opposition from the mayor of Salt Lake County and 11 other cities.

Nevertheless, the legislature pushed through its divisive maps, which were challenged in court by the League of Women's Voters of Utah and Mormon Women for Ethical Government, represented by Campaign Legal Center, claiming the new maps were partisan gerrymanders and that the repeal of Proposition 4 was illegal. The challenge is still pending as of August 2023.<sup>78</sup>

## OVERALL STATE GRADE: C-

Utah was a tale of two committees - the advisory Independent Redistricting Commission and the Legislative Redistricting Committee. The grade reflected both the best of redistricting and the worst of redistricting.

**The legislature ignored public input:** While the Independent Redistricting Commission created an open public input process, had staff assist people to submit as many as 590 community of interest maps, and deliberated and drew the maps in public for all to see, the commission's role was rendered toothless by the state legislature. The Utah state legislature adopted maps that completely ignored the commission's maps and public input and protest over Salt Lake County's split.



**The maps were drawn in secret:** The maps that were voted on by the legislature were drawn behind closed doors, released to the public late on a Friday night. After rushed hearings, the Legislative Redistricting Committee adopted the plans.<sup>79</sup>

## LESSONS LEARNED:

While the final maps that were adopted by the Legislative Committee were not reflective of public input, the separate process carried out by the advisory Independent Commission drew substantial public engagement. According to Katie Wright of Better Boundaries, a Utah-based non-profit that pushed for an independent commission, the process that the advisory Independent Commission carried out “had incredible engagement of Utahns. The Independent Commission had approximately 590 maps submitted, 1,000 general comments, and 2,000 comments on specific maps.”

*“The public input process carried out by the Utah Independent Advisory Redistricting Commission was exemplary in providing for citizen input. After each meeting of the commission around the state, staff and volunteers were available to help citizens draw communities of interest.” – Gigi Brandt, League of Women Voters of Utah*

- ✓ **Public outreach pays off:** The Independent Commission encouraged community map drawing and people submitted 590 community of interest maps. The Independent Commission also held numerous public hearings to receive input, deliberated and drew lines in public, and adjusted proposed maps based on public feedback.
- ✓ **The Utah Independent Redistricting Commission needs the final authority to adopt congressional and state maps:** The commissioners worked across partisan lines to draw and recommend maps that were well-received by Utahns, however, leaving the final authority of map approval to the legislature still runs the risk of a partisan gerrymander and/or incumbent protection.
- ✓ **Utah court review must be protected:** Enshrine in the state constitution that the state courts will be the final arbiter for whether the maps meet Utah state constitutional standards.

## BACKGROUND:

Currently, Vermont's state legislative districts are drawn by the legislature and are subject to gubernatorial veto. Due to population, Vermont is granted only one congressional representative. Further, a seven-member advisory board commission, the Vermont Apportionment Board, recommends maps to the legislature, which can choose to adopt, modify, or disregard their proposals. The Apportionment Board is composed of a member of each of the state's political parties (each qualifying party having had "at least three state legislators for six of the previous 10 years"<sup>80</sup>) appointed by the governor. The party chairs then each select an additional member, and the Chief Justice of the state Supreme Court appoints the commission's chair. Of note, commissioners cannot be employees or members of the state legislature.



This cycle, a new law was in effect that limited state Senate districts to three-member districts. Previously, the number of state Senate district representatives were unlimited due to the fact that senate maps have been drawn to closely follow county lines. Chittenden County district previously held six members, as it is the most populous county in the state. During this cycle, its senate district was split into three districts to achieve population equality.

State requirements mandate that legislative districts be contiguous, compact, and "adhere to county and other political subdivision boundaries, except where necessary to comply with other legal requirements," and respect "patterns of geography, social interaction, trade, political ties, and common interests."<sup>81</sup>

## COMMUNITY OF INTEREST STORY

State redistricting law states that districts must respect "patterns of geography, social interaction, trade, political ties, and common interests."<sup>82</sup> Advocates have found that this was not always adhered to this cycle. In 2012, community organizers worked diligently to ensure that the town of Huntington was kept together with the school district and county (Chittenden) it is zoned with. Unfortunately, it was not successful, and residents tried again to advocate for this change in 2021. Once again, Huntington was separated from its county and school district.

## OVERALL STATE GRADE: B

**Public access was adequate:** Advocates found that the state redistricting process allowed the public to participate. The redistricting advisory board conducted public meetings, took public comments, and then produced two sets of maps for consideration (one from the majority of board members and the other from the minority of board members). On top of seeking feedback from the general public, the board also welcomed input from the local Boards of Civil Authority regarding any concerns over the splitting of municipalities.

## LESSONS LEARNED:

- ✓ **Vermont should retain the single and double-member state house system:** Currently, Vermont's state house districts are a mix of single and double-member districts; those with two members contain a population of roughly 8,000, and those with one member contain a population of roughly 4,000. This cycle, there was a renewed effort to advocate for transitioning to smaller, entirely single-member

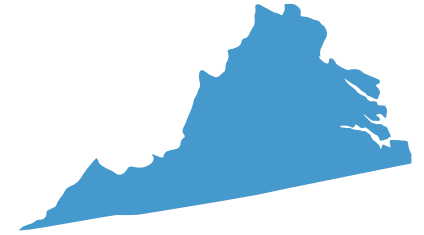
districts. However, advocates feel that smaller districts require a level of detail that leads to the splitting of cities and is conducive to gerrymandering; drawing larger districts prevents this.

- ✓ **An independent redistricting commission should be established:** Despite the relative success and satisfaction with this cycle's redistricting results, studies have found that independent redistricting commissions, taking the power of drawing lines away from the legislature, produce maps that are more competitive, fair, and less partisan than those drawn by state legislatures.<sup>83</sup> While Vermont does have an advisory commission, ultimately, the power to select maps is currently in the legislature's hands.

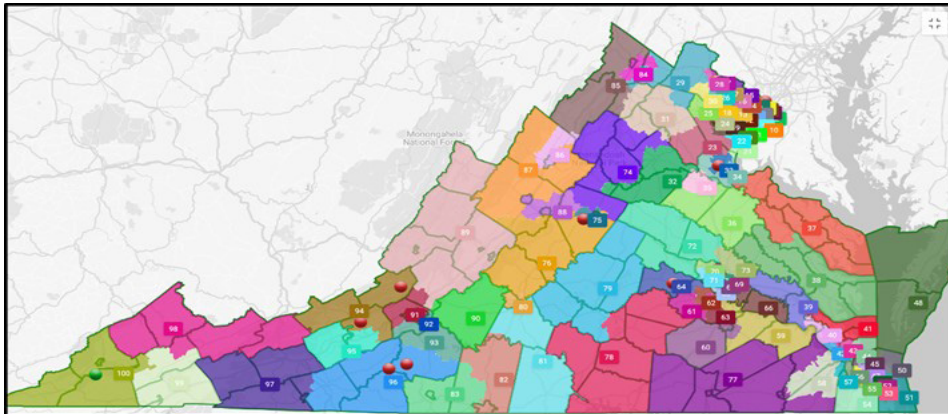


## BACKGROUND:

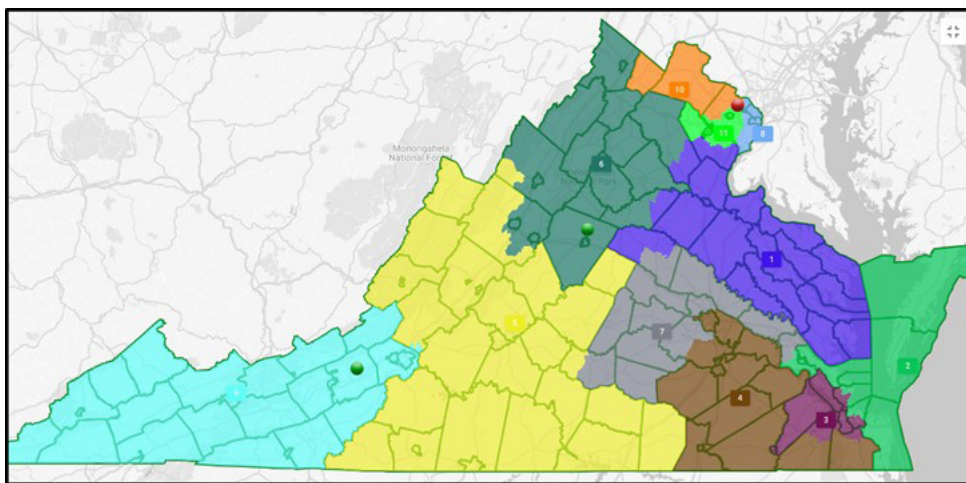
In 2020, Virginia voters passed Amendment 1 to create a political commission tasked with drawing congressional and state legislative districts. After taking seven years to reach the ballot, Amendment 1 created the Virginia Redistricting Commission (VRC). The commission includes eight Republicans and eight Democrats, with a mix of appointed legislators and community members. This partisan divide created an opportunity for members of the commission to simply vote as a partisan bloc against anything they did not explicitly design and endorse. As a result of this, neither set of maps could be finished as the commission refused to find a compromise. The maps ended up being drawn by a special master and voted on by the State Supreme Court (SCOVA).



Virginia also ended the practice of prison gerrymandering and established a state Voting Rights Act in 2020. Both went into effect during the 2021 redistricting process. The state utilized 'last known address' data from the Department of Corrections to reallocate the prison population into the new state and congressional district maps.



*(proposed State House district map submitted by the Virginia Counts Coalition)<sup>84</sup>*



*(proposed congressional district map submitted by the Virginia Counts Coalition)<sup>85</sup>*

## COMMUNITY OF INTEREST STORY

The Virginia Counts Coalition (VCC) worked with partners to create COI maps, using a racially polarized voting analysis, for statewide and congressional districts. To ensure the best possible maps for the state coalition, the VCC enlisted the help of Geographic Information System (GIS) analysts from the University of Richmond. This team was initially considered as a potential candidate to aid the work of the VRC but was dismissed due to a failed vote in which eight commissioners elected to have partisan map-drawers instead of the non-partisan academic team. The VCC's GIS team was instructed to help create maps that explicitly prioritized two criteria:

1. Maximizing the number of districts in which more than 50% of voters are people of color.
2. Maximizing the number of districts in which communities of interest, as advocated for and defined by coalition members, are kept together.

With these two criteria in mind, the GIS team created initial rough drafts of Virginia State House maps and US House maps. From here, the team met consistently with VCC partners to receive feedback and ensure communities of interest were represented in the maps. These efforts totaled 100 hours of work from the GIS team over the five-week period for which maps needed to be drafted, completed, and submitted to the commission. It is unclear how, if at all, these maps were considered by the VRC.

While OneVirginia2021, another large redistricting coalition in the state, did not advocate for a particular community of interest, they did provide resources to empower others to advocate for their communities. They feel that by facilitating the organization of local groups and helping them effectively use the tools available, many communities were able to draw a direct line in many cases from public participation to the final map results.

## OVERALL STATE GRADE: C

**Strong partisan division:** The political commission structure, created less than a year after a divisive presidential race, could not escape the recent hyper-partisan divide. Both Republicans and Democrats favored partisan lawyers and map drawers instead of an independent third-party. These partisan divides made it difficult, if not impossible, for both parties to find consensus. Legislative commission members introduced maps in which they carved out districts to protect their incumbency. After the commission had dissolved, all Republican candidates submitted to be special masters were rejected by the SCOVA, which added to partisan rhetoric about the process. Additionally, a Republican legislator filed a lawsuit, which was dismissed, claiming that the new process for counting incarcerated populations impacted Republican districts like the one he represents.

**Lack of public accessibility:** Because the commission was brand-new and operating during the COVID-19 pandemic, there were no guidelines on public outreach and accessibility. Hearings were held online during weekdays and many meetings were so poorly attended that commissioners logged out of the virtual platform early. The Virginia Counts Coalition urged the commission to expand hearings to the evening and weekends, but that request went unanswered. Spanish interpreters were available for the later online public hearings, but materials were not made available by the state in languages other than English, despite calls for such availability by various groups.

## LESSONS LEARNED:

- ✓ **An imperfect reform can still make a huge difference:** The process to get an established redistricting commission took an incredible amount of work and public education. While the commission ultimately

failed to create maps, the Supreme Court backstop also included in the amendment still produced strong district maps. Without the newly formed commission, the legislature likely would have drawn their own maps with little transparency or oversight as they did in previous decades.

- ✓ **Make it a party:** The Virginia Counts Coalition (VCC) created an advocacy platform for organizations across the state. There were thirty-four active members, anchored by the Virginia Civic Engagement Table, in the coalition during 2021. The VCC hosted watch parties for every hearing and collected testimony from organizations and community members ahead of each hearing. This allowed a space for people to react to the hearings and ask questions in real time, which fostered some of the missing ‘in-person’ connection. Over 500 individual public comments were submitted through these watch party events.
- ✓ **Focus earlier on public engagement:** Although the VCC and other organizations hoped to mobilize more communities to participate, those who did participate made a difference on the final outcomes. The coalition organizer, housed at the Virginia Civic Engagement Table, attempted to use a snowflake model to organize and educate community members. This did not work well because the coalition organizer had to train each person individually, which cut down on the scale of the campaign. Many people seemed much more interested in re-litigating the amendment than helping the process work for the public. The commission eventually brought on a communications firm to boost the commission’s work and the schedule of meetings and hearings. This firm was intended to proactively reach out to communities to encourage their participation, but they were hired far too late to be effective.
- ✓ **Statutes can help produce better maps by filling gaps that constitutional language misses:** The Voting Rights Act of Virginia prohibits partisan gerrymandering and provides protections for communities of interest. The disaggregation of prison population data ensured localities had accurate data when drawing new districts. Advocates strongly believe the state would have produced worse maps had those two new criteria not been in place.
- ✓ **The commission process must be reformed:** The VA Counts Coalition had a series of suggestions for commission reform:
  1. Remove all elected officials from the commission and specify that serving as an elected office is a disqualification for serving on the commission.
  2. Build in odd numbers of commissioners to help break tied votes.
  3. Create nonpartisan or independent commission seats to help break tied votes.
  4. Remove super majority expectations for voting by commissioners.
  5. Extend the timelines for which redistricting work must be completed.
  6. Prohibit partisan map drawers from the commission’s work.
  7. Prohibit partisan attorneys from the commission’s work.
  8. Build out more specific outreach plans for the commission to engage the public.
- ✓ **Ensure adequate commission staffing throughout the process:** The commission’s late start in community outreach and announcements made on the VRC website and social media created a deficit in communication on redistricting. This deficit could have been better managed if additional internal staff could be hired for the commission to help manage redistricting outreach, such as social media managers or fellows.
- ✓ **Improve data analysis skills:** It became increasingly clear how few people understood the work of drawing racially equitable maps from both a data analysis perspective and a Voting Rights Act perspective. This greatly limited the number of people to call upon for advice during map review and testimony. Incorporating a racially polarized voting analysis for coalition mapping purposes would be extremely helpful. Analyzing VCC maps was relentlessly time consuming. As a result of this, little other work could be completed at the same time. For future redistricting cycles, the coalition suggests hiring experts to quickly distill pertinent, highly complex data systems and legal impacts.



## BACKGROUND:

Congressional and state legislative district lines in Washington are drawn by a five-member independent redistricting commission. Four of the commissioners are selected by each of the four legislative leaders in the state legislature, and the four commissioners in turn select the fifth. If there is no consensus, the state supreme court selects the fifth commissioner. The commission then submits its redistricting plan to the state legislature, where the legislators may amend the plan within 30 days if two-thirds of each chamber votes to do so.



## OVERALL STATE GRADE: B-

**Lack of transparency:** In the eleventh hour as the commission was poised to miss the legal deadlines for approving a redistricting plan, the members of the commission decided to leave a publicly noticed meeting and go behind closed doors to negotiate final redistricting plans. In this critical moment, the commission emerged back into a public meeting only minutes before a midnight deadline to vote on approving a set of maps that was not written down nor made available to the public, violating Washington's Open Public Meetings Act. By doing so, the commission also failed to discuss in public how it reached its decisions. Advocates noted that much of the substance of the redistricting process was done behind the scenes instead of in public.

**Failure to adequately serve communities of color:** Although the members of the commission were warned during the map-drawing process, advocates in the state ultimately filed a lawsuit against the enacted maps for failing to adequately draw legislative maps to provide for districts to serve Latinx communities in the Yakima Valley area. Advocates argue that the legislative districts in the Yakima Valley fail to perform for the Latinx communities' candidates of choice. Litigation is ongoing as of August 2023.

## LESSONS LEARNED:

- ✓ **Greater outreach to Native communities and tribal governments improves representation:** One of the strongest features of the commission-approved maps was an improvement in keeping tribal communities together within districts. The recognition of Native reservations and the early engagement by the commission of Native communities was a positive step to ensure that this commission was more responsive to Native people and to include that feedback in the final maps. The commission also took the opportunity to meet and hear from each of the tribal councils.
- ✓ **Collaborative coalition partners make more effective advocates:** Advocates noted that there was a strong working coalition of advocacy and non-profit organizations in the state that fought to keep communities together, educated their communities about the redistricting process, turned out people to provide a record number of public comments and public input, and submitted draft maps to the commission for consideration. The strength of the coalition was reflected in part in its ability to resolve differences internally, as well as to serve as trusted messengers in the communities they serve to expand public engagement around redistricting.
- ✓ **Translation services and virtual meetings expand public participation:** Despite the stark lack of transparency in decision-making, there were largely ample opportunities throughout the redistricting process before the final maps were considered for the public to provide input. Meetings were held online, making public participation more accessible. There was expansive language assistance in

the commission's work, providing for live translation in Spanish and American Sign Language during meetings and producing other public content in a dozen languages. Ads were also produced in various languages and placed on social media.

- ✓ **The commission's structure can be significantly improved to ensure more independence:** Although Washington's redistricting commission is represented as an independent commission, its members are appointed based on party lines by politicians. Furthermore, the redistricting plans adopted by the commission are open to amendment by the state legislature. Advocates note that this makes the state's redistricting commission not independent and are calling for a shift to a fully independent commission that is made up of citizens, not political appointees, to draw the state's district lines.
- ✓ **Greater protections against secrecy are needed to ensure transparency:** With the violation of the state's open meetings laws, future redistricting cycles must operate in public view with full transparency. The discussions commissioners have regarding their decision-making process and how they advocate for lines to be drawn must be done in public meetings. The public must have an opportunity to understand how decisions are made and what factors are influencing the commissioners' decisions.

# WEST VIRGINIA



## BACKGROUND:

Both West Virginia's state legislature and congressional districts are drawn by the state legislature and are subject to gubernatorial veto.

Notably, in 2010, the majority of the state house's 67 districts were multi-member districts, however, after a change in law in 2018, the 2020 state house was redistricted into 100 single-member districts.



## COMMUNITY OF INTEREST STORY

*"Procedurally, they ticked the boxes. But then behind closed doors, they did what they wanted to do." - Ken Martis, West Virginia Fair Maps Committee*

Advocates were disappointed by the excessive splitting of cities and counties, which divided communities with unique economic needs. For example, the county of Kanawha was split into three senate districts and the county of Putnam, which has the state capitol Charleston, was split into two. This is particularly troubling in this area of the state, as efforts are being made to economically develop southern West Virginia.<sup>86</sup> Since the closure of several coal mines in the area, many counties have cut resources for municipal services such as libraries, parks, volunteer fire departments, and trash removal.<sup>87</sup> The decline of these services adds an increased burden in a state already facing a disproportionately high poverty rate; West Virginia's poverty rate is a staggering 16.8%, 5.4% higher than the national average.<sup>88</sup>

## OVERALL STATE GRADE: D

**Disregard of criteria:** It appeared that both legal and commonly accepted redistricting criteria were not considered in the drawing of the maps. For example, West Virginia's state constitution explicitly calls for county boundaries to be respected when redistricting, however, advocates noted that the state senate maps, in particular, did not appear to adhere to this requirement. Furthermore, advocates noted that other criteria were not respected, such as compactness and physical and other municipal boundaries.

**Partisanship:** Advocates felt that legislators drew lines to secure a partisan advantage rather than creating fair districts. Left-leaning populations such as Charleston/Putnam County were cracked, impacting voters' ability to have fair representation.

**Lack of transparency:** Advocates were surprised and disappointed that draft maps were not shared during public meetings. The public had no way of commenting on the maps before the legislature adopted them.

## LESSONS LEARNED:

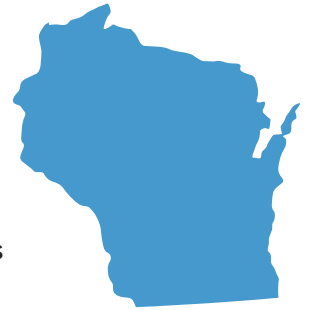
- ✓ **Sufficient funding is ideal but is not a prerequisite for advocacy:** Despite having very limited budgets, advocacy groups across the state like the West Virginia League of Women Voters' Fair Maps Committee rallied to engage volunteers in the redistricting process. The committee held events, shared resources, and encouraged West Virginians to participate in public hearings.

- ✓ **Flexible meeting options increased public participation:** Even though the redistricting process was not ideal, procedurally, the state did have virtual meetings, recorded meetings, opportunities to provide feedback online, and meetings all over the state.
- ✓ **West Virginia needs nonpartisan redistricting:** Community organizers stressed the importance of establishing an independent redistricting commission free from partisan influence.
- ✓ **The public needs technology and training to provide effective input:** Advocates were disappointed that public meetings did not provide the technology for the public to adequately express their opinions about the maps. At public meetings, all feedback was given verbally, and no maps or mapping technology was provided to aid in members of the public's testimony. Further, organizers felt that the state could have invested more in public outreach and education; most of the public education efforts were led by nonprofit organizations.
- ✓ **Engage people where they gather:** Local leaders noted that outreach efforts could have been expanded. Specifically, it was expressed that greater outreach could have been done with churches, which were emphasized as a common place where communities gather around the state.



## BACKGROUND:

Wisconsin's state legislative and congressional district boundaries are determined by the state legislature, subject to a gubernatorial veto. Separately, Governor Tony Evers ordered the creation of the People's Maps Commission, an advisory redistricting body designed to be a vehicle for public input and engagement. In November 2021, Governor Evers vetoed maps legislators produced after calling them "gerrymandering 2.0."<sup>89</sup> As a result of this stalemate, the selection of maps was left to the Wisconsin Supreme Court, which stated that it would seek a "least-change" approach and choose maps that made as few changes to the existing map as possible. Governor Evers submitted a state legislative map for consideration that would have increased the number of majority-Black Assembly districts from six to seven while the map legislators submitted would have reduced that number from six to five. Although the Wisconsin Supreme Court originally selected the governor's map, legislators won a victory in the U.S. Supreme Court that resulted in a ruling that the governor's attempt to improve Black representation in the state legislature was an illegal racial gerrymander. As a result of the U.S. Supreme Court's ruling, the Wisconsin Supreme Court selected the legislature's map and reduced the number of majority-Black Assembly districts. The Wisconsin Supreme Court's least-change mandate resulted in congressional and state legislative maps that largely recreated the previous cycle's gerrymander.



## OVERALL STATE GRADE: F

Wisconsin's Fair Maps Coalition was very active in both lobbying the legislature and providing testimony to the governor's People's Maps Commission. Carlene Bechen, the Organizing Director of the Fair Maps Coalition (FMC) noted that the FMC held dozens of trainings using Districtr and submitted over 1,000 community of interest maps, exceeding their goal of submitting 800, at least 100 from each congressional district. The FMC organized a virtual lobby day just before the start of the joint legislative session on redistricting. About 200 people participated in the lobby day, and more than 150 testified to legislators at the single public hearing on the new voting district maps. In addition, the FMC organized 17 simultaneous rallies at the Capitol and around the state with more than 1,000 participants calling on the legislature and courts to create fair voting maps.

Advocates faced significant challenges in dealing with both the governor's commission and the legislature. The People's Maps Commission struggled to find its footing early due to a lack of budget and support. However, it eventually held public hearings across the state and solicited input from a wide range of stakeholders, including members of the public, interest groups, and local officials. The coalition did extensive work to generate applicants to the commission, which resulted in three of nine commissioners coming from the ranks of Fair Maps activists. The commission's goal was to create a fair and transparent redistricting process, in contrast to the legislature's closed-door approach. Unfortunately, the legislature did not consider the commission's maps and instead passed their own partisan maps. Debra Cronmiller of the League of Women Voters summarized the process by stating that "I gave the process a B, though our enacted maps are a fail."

## LESSONS LEARNED:

- ✓ **Limit the influence of elected officials in redistricting:** Wisconsin legislators have focused their redistricting efforts almost exclusively on manipulating districts for partisan advantage. They have proven themselves to be incapable of prioritizing fair representation for Wisconsin communities.

The advocacy community's long-term strategy is, and should continue to be, changing who draws Wisconsin's voting maps. Although passing gold standard reform that empowers an independent citizens redistricting commission could be difficult due to the absence of a ballot initiative option in Wisconsin, it is not the only viable approach to reform. For example, Iowa has provided an alternative model that Wisconsin advocates have supported in previous legislative sessions. Under this model, a citizen advisory commission obtains public input for nonpartisan legislative staff who draw maps. Those maps go to legislators for up or down approval. Limiting the influence of legislators will be key to creating a process that puts the public first.

✓ **Improve redistricting criteria:**

Wisconsin Republicans have used aggressive partisan gerrymandering to give themselves nearly veto-proof majorities in both state legislative chambers. An explicit prohibition against partisan gerrymandering would empower Wisconsin courts to stop this assault on voting rights. Passing a prohibition through the legislature would be a challenging task, so litigation seeking a pro-democracy interpretation of the Wisconsin Constitution that prohibits the practice could provide an alternative path forward. Advocates recently filed such



a challenge in state court. A new provision of Wisconsin law requiring the protection of communities of interest would also address some of the worst excesses of politician-drawn maps. It would mandate consideration of community testimony both by initial decision makers and courts if a stalemate or legal challenge requires judicial action.

✓ **Challenge the court's least-change redistricting preference:** The Wisconsin Supreme Court ruled that one of its primary criteria for drawing districts after the deadlock between the governor and legislators would be to seek a map that made minimal changes to the existing districts. This criterion established a thin veneer of impartiality while entrenching extreme gerrymanders that reinforce the racial and partisan power of the past. Driving home the harmful effect of the least-change criterion should be a central part of any litigation strategy and policy advocacy.

✓ **Increase transparency throughout the redistricting process:** The People's Maps Commission provided a significantly improved model for public input and transparency relative to the partisan and secretive work of the legislature. Permanent implementation of an official structure for seeking and obtaining public input and minimum requirements for public hearings would be an important first step toward increasing transparency.





## BACKGROUND:

The lines for Wyoming's state legislature are drawn by the legislature as a regular statute, subject to a gubernatorial veto. The state has one congressional district.

## OVERALL STATE GRADE: C-

**Responded to some public input and population shifts:** Advocates noted that there was opportunity for the public and county clerks to provide input during the redistricting process, and that some of those calls to action were heeded by the legislature in preserving some communities of interest. The state legislature also provided free mapping tools with Maptitude for community members to submit draft maps and made information available online on their website. Additionally, legislators increased the size of the state legislature this redistricting cycle to account for the population shift to more urban areas of the state, while attempting to avoid enlarging the size of rural districts. Instead of allowing significant population deviation between rural and urban areas, the state legislature chose to increase the size of its two bodies—from 60 to 62 members in the state house, and from 30 to 31 members in the state senate.

**Incumbency protection and population deviation requirements:** While the growth in the size of the legislature avoided leaving districts with a varied population deviation beyond the constitutional limits, the ultimate maps still reflected the clear priority for legislators to protect incumbents. Discussions amongst legislators and decisions to draw lines that considered the residences of other legislators prioritized their incumbency and future re-elections over drawing the best maps possible for local communities. Additionally, a few districts in the final maps still had deviations that slightly surpassed federal constitutional requirements.

## LESSONS LEARNED:

- ✓ **Improvements are possible through community of interest advocacy:** A push from the community in South Cheyenne saw some success in this redistricting cycle, where more of the community was held together in fewer legislative districts instead of splitting the more predominantly Latinx community among many districts. Advocates reflected that the new maps were better than before and afforded more opportunity for representation from South Cheyenne.
- ✓ **Advocates cannot rely on the legislature for public education:** While there were some instances, like in South Cheyenne, where advocates saw that public input improved the final maps, they largely argued that there needs to be more direct public engagement from the state legislature as a whole. In this cycle, much of the engagement had to fall on individual legislators or candidates to educate the public and bring more community members into the conversation.
- ✓ **Incumbent protection is one of the primary obstacles to community-led redistricting in Wyoming:** A major theme of this redistricting cycle in Wyoming saw legislators prioritizing preservation of their own districts over making the best decisions for local communities. Much of the debate between the state house and state senate over whether to expand the size of both chambers revolved around the impacts a new map would have on existing legislators. The state cannot continue to consider incumbency to protect their own seats.

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