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## How Gerrymandering & Rules Block Good Government

### ... And How We Can Fix it

*Gerrymandering may not be the issue you care about most ...*

*It's just the issue you need to care about first.*

Hosted by: Congregation Keneseth Israel  
March 31, 2021  
Presenter: Terry Schettini

Fair Districts PA is a project of the League of Women Voters PA  
[www.FairDistrictsPA.com](http://www.FairDistrictsPA.com)

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## A Brief Introduction to ...

- **Gerrymandering:** What it is & why it is a problem
  - Congressional
  - State House & Senate
  - Prison
  - Judicial ... *not yet, but they are trying!*
- How the rules block reform ... and good governance
- And most importantly ... How you could help fix it all

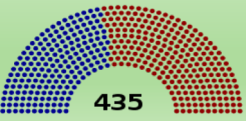
Learn more at: [www.FairDistrictsPA.com](http://www.FairDistrictsPA.com)



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## Reapportionment

The US Constitution requires reallocation of **congressional seats** among the states every ten years based on US Census population figures



**PA's Trend**

1990 - 21
2000 - 19
2010 - 18
2020 - <b>17?</b>

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## Redistricting

Each state redraws its boundaries.

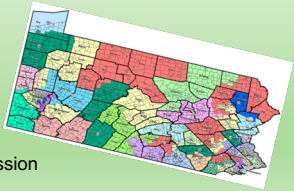
PA has two redistricting procedures:

**Congressional Districts**

- Regular bill process

**State Legislative Districts**

- PA Constitution-mandated commission



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## Redistricting Rules in the PA Constitution

**Article II, Section 16 regarding state legislative districts:**

- "... shall be composed of compact and contiguous territory as nearly equal in population as practicable."
- "Unless absolutely necessary no county, city, incorporated town, borough, township or ward shall be divided ..."

**Seems simple and straight forward, right? ... Well ...**


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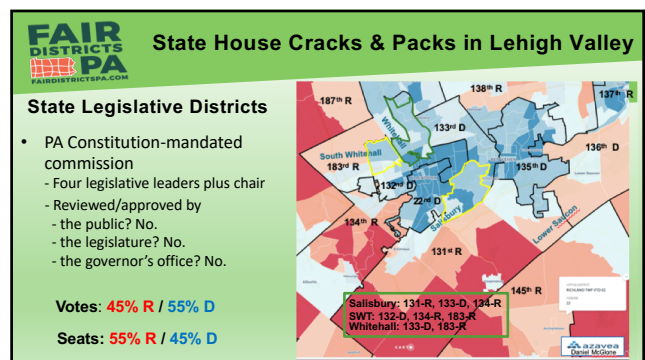
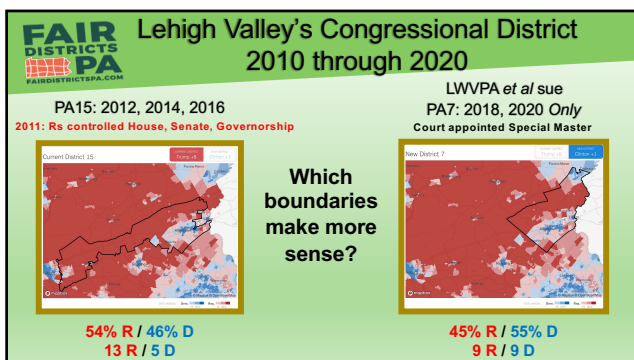
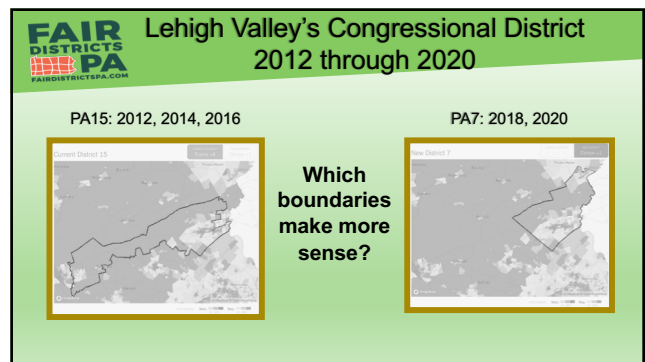
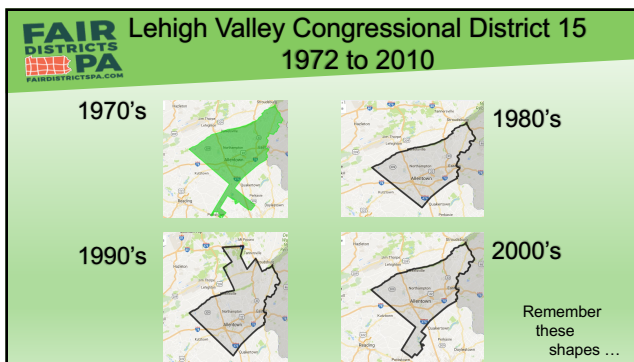
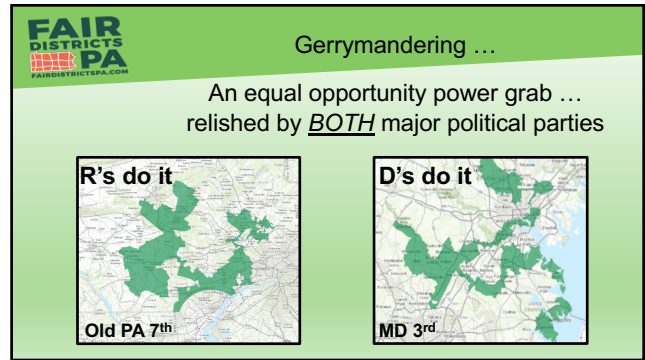
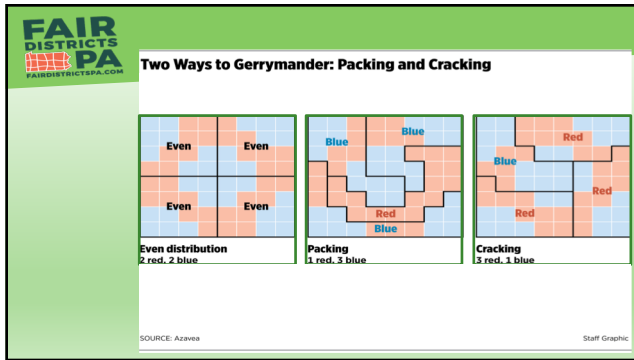
## Not so, thanks to Gerrymandering

**Gerrymandering ...**

- Drawing District Boundaries to benefit a party or candidate

In 1812 MA Gov. Elbridge Gerry approved districts maps favoring his party. One district map looked like a salamander — hence the term **Gerrymander**.





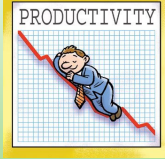
**FAIR DISTRICTS PA** The Problem How We'll Fix It Take Action JOIN US

## Gerrymandering Impacts

- Major parties focus on control, not governance
- Incumbents (*especially* leadership) protected - 95% re-election rate
- Rank & File beholden to party leaders, not constituents
- Elections increasingly decided in the primaries
- Resulting polarization and gridlock is bad for business
- ... Studies by Harvard (2016), PA Economy League (2014)

**FAIR DISTRICTS PA** Gerrymandering = Inaction & Dysfunction

**PRODUCTIVITY**



In past 10 years  
< 10% of proposed bills  
were enacted

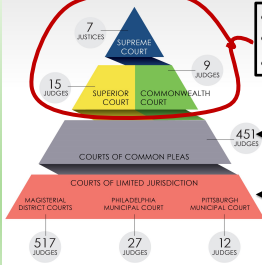
**Critical Issues Not Dealt With ...**

- Property Tax Reform
- Equitable School Funding
- Unfunded State Pension Obligations
- Roads, Highways, Bridges
- Elevated Levels of Lead in Children
- Redistricting Reform
- What Issue Do You Care About \_\_\_\_\_?

**And bad policy pushed through ...**

- Judicial Gerrymandering

**FAIR DISTRICTS PA** Judicial Gerrymandering 101: Overview of PA Judicial System



- High courts
- Appellate courts
- Courts of Appeal

Elected in **60** regional districts

Elected **very locally**

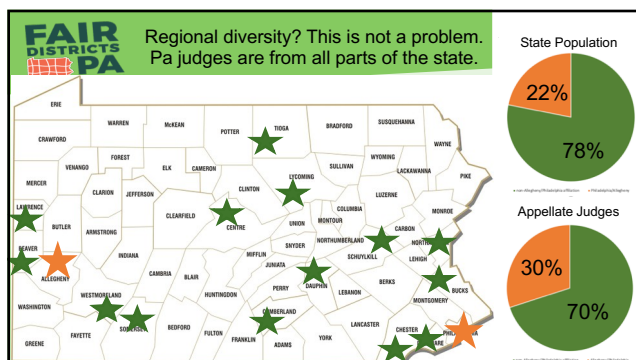
**FAIR DISTRICTS PA** Judicial Gerrymandering 101: What would HB 196/38 Do?

**Calls for a constitutional amendment** that  
“... organizes the Judiciary into representative districts and further provides for residency requirements.”

**WHY?**

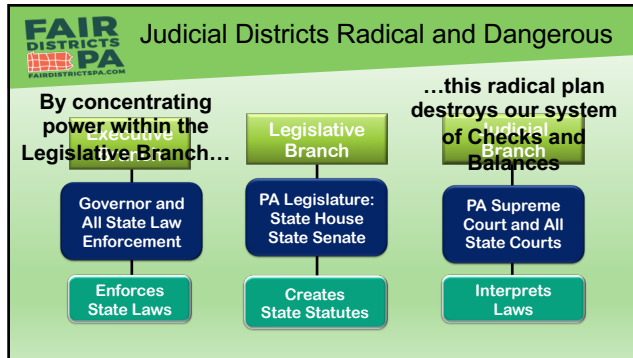
**According to prime sponsor Rep. Russ Diamond:**  
“There are different philosophies on how to apply the law based on how and where you grew up.”

**REALLY?**



**FAIR DISTRICTS PA** Judicial Districts Bill is Radical

Executive Branch	Legislative Branch	Judicial Branch
Governor and All State Law Enforcement	PA Legislature: State House State Senate	PA Supreme Court and All State Courts
Enforces State Laws	Creates State Statutes	Interprets Laws



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## So ... is the judicial districts bill a good idea?

Bar associations and good government groups agree:

**It is a very VERY bad idea.**

Tabled ... for now. Stay Alert!

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## Prison Gerrymandering

**Current PA Election Code specifically prohibits this, yet ...**

- Shifts seats to prison counties
- Inmates cannot vote
- Hurts both urban & rural counties

FDPA Supports HB706 / SB104

No hearings on last session's versions of these bills

<https://www.PrisonersOfTheCensus.org/pennsylvania.html>

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## Are They Representing Us? ...

2017 – 2020 Legislative Sessions  
FDPA Redistricting Bills had Broad Support

- More co-sponsors than any other bill
- ICC supported by 24 counties and 389 municipalities (70%)
- 100,000+ petition signatures
- 400+ supporters
- 66% PA citizens support reform (F&M 2019 poll)

No Floor Vote in House / Poison Pill added in Senate

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## ... Or Themselves?

**HB196 / HB 38**

Amends PA Constitution to enable party leaders to create ... aka gerrymander ... judicial districts

- Passed in House & Senate
- Less than one hour of public debate!

No expert testimony or public input

No cross-partisan support

Opposed by 100+ Pa groups

Judicial Gerrymandering: Smooth Sailing

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## A Quick Review ...

**Redistricting Reform**

- Congressional & Legislative
- Blocked for 4 Years (make that 30 years!)

**Judicial Gerrymandering**

- Pushed Thru in 18 Months
- Merit Selection blocked for 70 years!

**Prison Gerrymandering**

- No hearings last session

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## Why Are the Scales So Out of Balance?

A Simple Answer ...  
The Rules Allow Party Leaders to Block Good Bills & Fast-track Bad Bills

Four Positions Control the Process

1. House Speaker
2. Senate Pres. Pro Tempore
3. Majority Leaders
4. Committee Chairs

**LWV & FDPA**  
• Citizen-led  
• Nonpartisan

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## Gerrymandering + Rules = Dead End for Reforms

Day 1: Rank & File Members Vote on HR2 ... then HR1

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## It Doesn't Have to Be This Way!

Rule Changes Would get Hyper-partisan Thumbs off the Scale

- Guarantee a vote in committee for bills with strong bipartisan support
- Guarantee a vote on the chamber floor for strong bipartisan bills that get voted out of committee
- Bills with strong bipartisan support passed by one chamber should get a vote in the other

**Stay tuned:** FDPA not yet supporting any specific resolutions

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## Legislative Reapportionment Commission 2021-22

**Chair**

Chosen by vote ... or majority of PA Supreme Court, Currently 5 D, 2 R

Kim Ward Senate Majority Leader	Jay Costa Senate Minority Leader	Kerry Benninghoff House Majority Leader	Joanna McClinton House Minority Leader

**Encouraging signs:**

- First time women will sit on the LRC
- First person of color on the LRC
- Public statements mention fairness, public hearings, and transparency

**BUT ... We Need to Stay Alert**

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## FDPA Redistricting Reform One Door Closed, So We Opened Another

### Legislative and Congressional Redistricting Act

House Bill 22 and Senate Bill 222 (LACRA)

Legislators' roles remain	Clear Prohibitions	Transparency	Public engagement	Map-drawing criteria

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## LACRA: HB 22 and SB 222

	<ul style="list-style-type: none"> <li>• Multiple public hearings</li> <li>• Open Meeting rules / Livestream</li> </ul>
	<ul style="list-style-type: none"> <li>• User-friendly website for maps / public comments</li> <li>• PA residents can submit maps (<a href="http://www.DrawTheLinesPA.org">www.DrawTheLinesPA.org</a>)</li> </ul>
	<ul style="list-style-type: none"> <li>• Prohibits incumbent protection and unfair discrimination against political parties</li> </ul>
	<ul style="list-style-type: none"> <li>• Strengthens the compact &amp; contiguous rule</li> <li>• Clear rules for splitting counties &amp; municipalities</li> </ul>

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## What can I do?

**Finally! An issue that you can discuss and agree on with family & friends!**

- Learn more at [www.FairDistrictsPA.com](http://www.FairDistrictsPA.com)
  - Find your legislator
  - Join FDPA
- Schedule a Speaker: any size; any length
- Facebook: [@FairDistrictsPA](https://www.facebook.com/FairDistrictsPA) or [@FairDistrictsLehighNorthampton](https://www.facebook.com/FairDistrictsLehighNorthampton)
- Talk to your neighbors, friends, family

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## What can I do?

### Write Letters to the Editor

- Tips & Help at [www.FairDistrictsPA.com](http://www.FairDistrictsPA.com)

- Support LACRA: HB 22 / SB222
- Support HB706 / SB 104
  - to end prison gerrymandering
- \* Legislative Reapportionment Commission
  - Call for open chair search & transparency
  - Call for meaningful public input/hearings
  - .....
- Call for rules reform
- Oppose Judicial Districts



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## What can I do?

### Call/Meet Online with Your Lawmakers

- Tips & Help at [www.FairDistrictsPA.com](http://www.FairDistrictsPA.com)

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[Legis.State.PA.US](http://Legis.State.PA.US)  
[PrisonersOfTheCensus.org/pennsylvania](http://PrisonersOfTheCensus.org/pennsylvania)

