

COMMON CAUSE PENNSYLVANIA TESTIMONY

Senate State Government Committee

Khalif Ali, Executive Director

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Chairman Argall, Chairman Street and Members of the Committee:

Thank you for the opportunity to testify today. My name is Khalif Ali, and I am the Executive Director of Common Cause Pennsylvania. As you may know, Common Cause PA is a nonpartisan, good government organization that has been dedicated to working toward a government that is accountable to We the People since 1970. We have over 35,000 members and supporters across every district in the Commonwealth.

Common Cause PA has long been an advocate for a redistricting process that prioritizes transparency, builds public trust in democracy, and respects the autonomy of communities. We believe that redistricting should be fair, accessible, and politically neutral. Most importantly, we believe that to be successful, a redistricting process must intentionally seek to ensure that every Pennsylvanian, regardless of zip code, race, ethnicity, first language, or profession has an equal opportunity to elect a representative that shares their values and lived experience.

To achieve this, it is essential that those in charge of the redistricting process provide ample opportunities for meaningful public input. I commend this Committee for their interest in learning more about what steps can be taken to encourage robust participation.

Recommendation 1: Conduct extensive intentional outreach/education efforts

One of the most impactful steps that members of this committee can take, is intentional outreach to their constituents'. Educating them on the redistricting process and the need for public input. We know from public messaging research that many people don't understand the redistricting process, or worse, believe that all redistricting is an attempt to dilute or diminish the impact of their votes. While organizations such as Common Cause PA are working around the clock to provide information to Pennsylvanians and work with them to tell the story of their communities, we also know that elected representatives, such as the members of this committee, are important messengers.

We would encourage individual legislators to consider holding town halls, including educational materials about redistricting, opportunities for public input in your constituent communications, and using social media platforms to educate broadly. Additionally, we recommend that the legislature spend at least some portion of its funds appropriated for the redistricting process to purchase paid targeted advertising, ideally in multiple languages, to help reach those Pennsylvanians who have historically been left out of the redistricting conversation.

This education should include both the requirements for redistricting: how the state draws its lines, the laws and priorities that govern its decisions, and the timeline from start to finish. This should be done as early in the process as possible, and the material should be available online in at least Spanish and English. Creating this

type of transparency from the outset will help manage the public’s expectations and build trust allowing for the process go more smoothly for everyone.

Recommendation 2: Provide accessible opportunities for meaningful public input

We were heartened by the announcement that several regional public hearings will be held to gather public input, and we appreciate the stated commitment to ensuring a transparent 2021 Congressional redistricting process in Pennsylvania.

Specifically, we recommend the following:

1. The hearings should be held both in-person and virtually at different times during the week—some during evenings and weekends—to enable engagement and participation from as many residents as possible. These hearings should be scheduled, and the agendas advertised in advance, through the website and social media accounts with sufficient advance notice, to allow those who want to participate enough time to prepare.
2. To the extent possible, hearings should be translated live into the most frequently spoken languages in the region and all hearings should be accompanied by American Sign Language interpretation. Stakeholders who support individuals with disabilities and individuals for whom English is not their first language should be consulted prior to these hearings to ensure that as many Pennsylvanians can participate as possible.
3. The hearings should be bipartisan with both Republican and Democrat legislators in attendance. All committee members should make a concerted effort to attend, either virtually or in person.
4. The process for submitting public comment at the hearings and through the online portal should be clear and available in multiple languages. It should include any requirements such as (a) the length of comments; (b) content restrictions; (c) registration requirements – if any.

We understand that these recommendations will place some burden on this committee and legislative staff. However, we believe that they are an essential part in achieving a transparent process that builds public trust in our democracy.

Recommendation 3: Prioritize communities of interest as the building blocks of the map

As I’ve alluded to previously in this testimony, communities of interest are the building blocks of redistricting. We strongly urge you to prioritize protecting the boundaries of communities of interest throughout the redistricting process.

In contrast to some other states, Pennsylvania law does not contain a definition of communities of interest. However, the relevant academic literature as well as redistricting law in other states uses the following definition: *‘A community of interest is a neighborhood or area whose residents have **shared culture, history and policy concerns** and so would benefit from being represented in the same district.’* A community of interest can be defined as people who share such things as: economic concerns, environmental concerns, race, language, ethnicity, watershed, school district, concerns about access to health care, etc. The definition typically explicitly excludes relationship interests with a particular political party, elected official, or candidate.



There is no requirement that a community of interest must be composed of a certain number of residents or cover a certain amount of geographic area. Communities of interest may overlap, or cross municipal or county boundaries.

Communities of interest should be defined by members of that community – not by academics or advocates from outside. That is why the public hearings that have been scheduled are so essential to a successful redistricting process.

Common Cause PA has partnered with several organizations both in-state and at the national level to provide resources and educational materials around redistricting. Our primary focus in these sessions is educating everyday Americans on how they can tell the stories of their communities. These stories focus on what we are calling “The Three C’s” – Culture, Concerns, and Counts. By encouraging people to think about what it is that makes their community unique (culture), what problems their community shares (concerns), and what data (such as demographic or economic data) might support their story (counts), our hope is that those who hear the testimony are able to better protect Pennsylvania communities in the redistricting process.

For too long, redistricting has been conducted as a political game with partisan winners and losers. While it is undeniable that there are direct political impacts from redistricting, **focusing on communities - not just municipal boundaries - is an important part of ensuring that We the People are at the center of the process.**

Recommendation 4: Establish clear mapping criteria in order of priority

Establishing clear mapping criteria, and the order in which you will apply them, will go a long way to increasing transparency and public trust in the process, which is something this committee has demonstrated a concerted interest in. Our recommendation towards achieving that goal, is that you should hold a hearing to get public feedback on what the criteria should be prior to developing these criteria. Additionally, we recommend that once you have developed the criteria you release it publicly so that stakeholders, community members, and experts can use the criteria to create their own maps and/or provide meaningful input on proposed maps. While the criteria are not required to be created as a piece of legislation, doing so would also provide opportunity for public input and a robust debate.

As you consider which criteria to establish, we strongly encourage you to adopt the below criteria:

1. Map drawing criteria. --The General Assembly shall establish single-member congressional districts using the following criteria set forth in the following order of priority:
 - a. Congressional districts shall comply with the Constitution of the United States and all applicable Federal laws, including but not limited to the Voting Rights Act of 1965.
 - b. Congressional districts shall comply with the Constitution of Pennsylvania.
 - c. Congressional districts shall be geographically contiguous.
 - d. Congressional districts shall provide racial and language minorities with an equal opportunity to participate in the political process and shall not dilute or diminish their ability to elect candidates of choice by themselves or in a coalition with others.



- e. Congressional districts shall respect the integrity of communities of interest to the extent practicable. The term “community of interest” shall not include common relationships with political parties or political candidates.
 - f. Congressional districts shall minimize county, city, borough, and township boundary splits to the extent practicable.
2. Prohibitions. --The General Assembly shall comply with all of the following when drawing a final congressional district map:
- a. A final congressional district map shall not, when considered on a Statewide basis, unduly favor or disfavor any political party, candidate, or incumbent.
 - b. A congressional district in a final congressional district map shall not dilute or diminish the ability of racial and language minorities to elect candidates of their choice by themselves or in a coalition with others.

Establishing clear redistricting criteria will allow for the public to participate in the process more meaningfully. The criteria will allow members of the public to draw their own maps that follow the same criteria that the General Assembly does and evaluate draft and final Congressional district maps.

Recommendation 5: Create a plan for processing and incorporating public input

If all goes as planned, this committee and will be receiving significant public comment and input on the redistricting process, communities of interest, and draft/final maps.

In our work organizing and educating on the issue of redistricting, one of the questions we are asked most consistently is “How do I know that legislators will take my testimony into account when they are making redistricting decisions?” Overwhelmingly, Pennsylvanians want reassurance that what they have to say will be taken seriously by their elected officials, you.

Accordingly, there should be a clear process for evaluating public testimony, incorporating it into the mapping process, and, if necessary, an explanation for why the committee made mapping decisions that were not in accordance with the public testimony.

As this committee may know, one of the innovations since the last redistricting cycle has been the development of several pieces of free mapping software and map evaluation tools. These include (but are not limited to): [Districtr](#), developed by the Metric Geometry and Gerrymandering Group out of Tufts University, [Representable](#), developed by the Princeton Gerrymandering Project, and DRA2020 ([Dave’s Redistricting App](#)). Each of these apps has slightly different functionalities. However, at a basic level, each allows users to draw their own community of interest using census blocks or precincts, provides evaluation metrics, and allows users to export/share their final maps. Additionally, both Districtr and DRA2020 allow users to draw actual maps, either on a district basis or statewide.

We understand that the General Assembly has launched a public mapping tool that will allow Pennsylvanians to draw their communities and ultimately to draw maps. While we commend you for your commitment to taking public comment, we also strongly encourage the development of a process for individuals to upload maps that have been drawn on other mapping apps. We are happy to talk more about the technical aspects of this process at a later date.

We further understand that any public input process will result in some number of maps/comments that are not useful or where the decisionmakers are unable to accommodate the request or recommendation. No map is perfect. Every map must have tradeoffs. However, part of your job as elected officials is to build trust in our democracy and our democratic processes. Creating a process to intake, process, evaluate and apply public comment/maps and then ensuring that the process is public knowledge, will go a long way to increasing public confidence in the final maps.

Finally, we would strongly encourage this committee and your colleagues in both chambers of the General Assembly, as well as the Governor's office, to commit to a redistricting process that is conducted in the spirit of bipartisanship. We understand that this is an inherently political process and that there is much to be gained or lost by drawing districts in a way that solidifies political control by one part or the other. However, to do this would be a mistake and could continue to erode public trust in government.

What would we need to prioritize to achieve bipartisanship in the redistricting process?

- Center communities of interest, particularly those communities made up of Black, Latinx, Asian/Pacific Islander and other Pennsylvanians of color who have historically been left out of the redistricting conversation.
- Ensure that all public facing redistricting materials generated by the General Assembly, including websites, hearing notices, educational materials, etc. are not branded by a single caucus or political party. This recommendation does not include information or outreach that is done by a single caucus or party.
- Guarantee that all public hearings and meetings to discuss redistricting include representation from both Republicans and Democrats. This is especially important when it comes to the regional public hearings.
- Make Certain that the process of drawing maps take place in public or at least with representatives from both parties in the room.
- Ensure that any maps that are introduced or voted on are available to members of both caucuses, external stakeholders and experts for at least a week before they are brought up for a vote in committee.

Thank you again for the opportunity to speak with you today and for your commitment to a redistricting process that works for all Pennsylvanians. We are dedicated to being a resource for everyday Pennsylvanians, and to this committee as well. Visit <https://www.commoncause.org/redistrictingresources/> to learn more.

