

Senate State Government Committee Supplemental Testimony

Amanda Holt (1/24/22)

There are many ways to configure congressional district boundaries. Courts have acknowledged “that other factors have historically played a role in the drawing of legislative districts, such as the preservation of prior district lines, protection of incumbents, or the maintenance of the political balance...”

The Legislature may select and prioritize whatever “other factors” it deems as appropriate values to incorporate in a congressional district plan. But it should not do so at the expense of minority representation under the VRA or what the Courts have called the neutral floor criteria.

In reviewing the two plans created or highlighted by the Governor, one should consider two things:

1. Are the “other factors” shaping the proposed congressional plan consistent with the values deemed appropriate by the Legislature?
2. If so, have the neutral criteria been subordinated (intentionally or unintentionally)?

It is of paramount importance in any plan that in pursuing the “other factors”, we don’t forget the basics. Or as the Courts term it – “do violence to the constitutional restraints.”

Minority representation:

Both plans retain one majority minority district and one coalition district. If the Legislature wishes to further maximize these opportunities, attention should be paid to the Pittsburgh area as well as the Philadelphia suburbs (particularly the Delaware County district).

Contiguity:

Both maps are contiguous. There is no reason to change 200-year history by separating the Pennsylvania island from the rest of Chester County.

Compactness:

While measurements of compactness exist, there is not an agreed upon standard. Both maps are generally compact and score similarly on the standard measurements.

The two most common metrics are the Reock and Polsby-Popper scores. Polsby-Popper is often the focus in congressional plans because this is more impacted by indentations that come when pursuing a zero-deviation plan, especially one that works to minimize divisions.

The Governor’s Council recognized this in their assessment when they wrote “In evaluating a proposed map, the Governor should prioritize plan level geographic compactness **unless dispersion is required to advance another positive districting principle**, such as preserving communities of interest or avoiding political-subdivision splits.” (emphasis added)

The current (2018) congressional plan has an average Polsby-Popper score of about 33. Will the approved plan need to meet this metric? Is it acceptable to have a plan that follows below 33? Exceeds it? Or is it a data point to consider but not deciding factor?

Minimizing divisions:

In any redistricting plan, divisions must be made. The question, then, is not whether there will be divisions, but will the divisions be minimized.

Each division made in a redistricting plan has the power to transform the final product. This is even more true in a congressional plan, where there are only 17 districts.

These two maps draw attention to the age-old question of what absolute necessity really means. Depending on your interpretation of absolute necessity, these maps may be close enough to neutral criteria to meet that standard, but by stricter interpretations, these maps may fall short.

The Governor's Council highlighted the need to minimize divisions to the places we live when they wrote: "In evaluating a proposed map, the Governor should **prioritize fewer subdivision splits** unless a division is necessary to preserve a cohesive—and clearly identified—community of interest."

In both plans, the number of divisions might be reduced by at least 30%-40% without deviating from the established goals of each plan.

In the Governor's Plan, reductions could be made in all categories. In the Citizen's Plan, the reductions were primarily in ward and voting precinct divisions. Making these refinements would limit the number of people who are impacted by divisions.

Principles of Representation

This was a principle highlighted by the Governor's Council and often discussed in redistricting circles but can be harder to precisely define and measure.

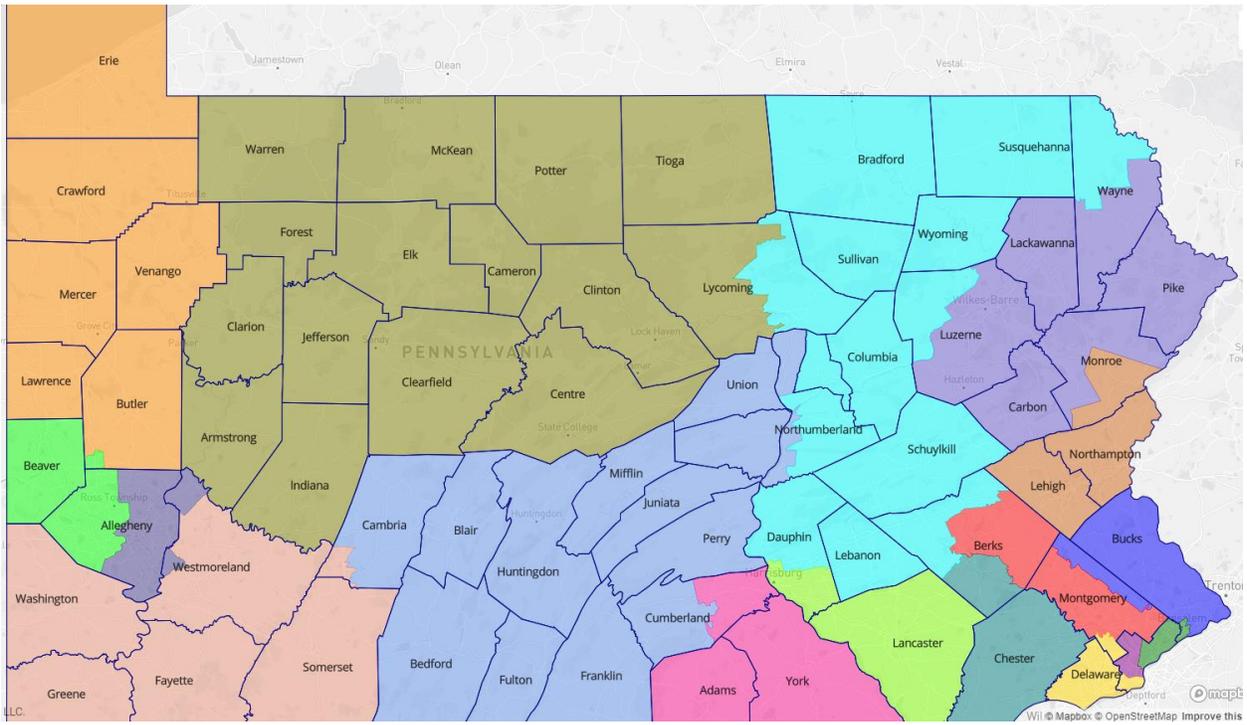
1. Communities of interest. School districts are one example, and readily defined. But it can also include other communities that have less visible boundaries. I do not know the number of school districts divided in either plan.
2. Partisan fairness. This involves providing both parties a path toward winning a majority of seats. Measuring this involves calculations related to election performance. Depending on the sets of election data used, the projections can be different. Using Dave's Redistricting App, both plans provide for 9 likely democratic seats.
3. Responsive or competitive districts. These are districts that might change based on voter preference (not "safe" seats for a particular party). this involves calculations related to election performance. Depending on the sets of election data used, the projections can be different. Using Dave's Redistricting App, the Governor's Plan provides for 4 competitive seats or X responsive seats. The DTL Citizen's provides for 5 competitive seats or X responsive seats.

As the Senate continues to negotiate a congressional plan, I would ask that in pursuing “other factors” the Senate not lose sight of the basics – minority representation and the constitutional restraints. Minority representation should be maximized. Divisions to the places we live should be minimized.

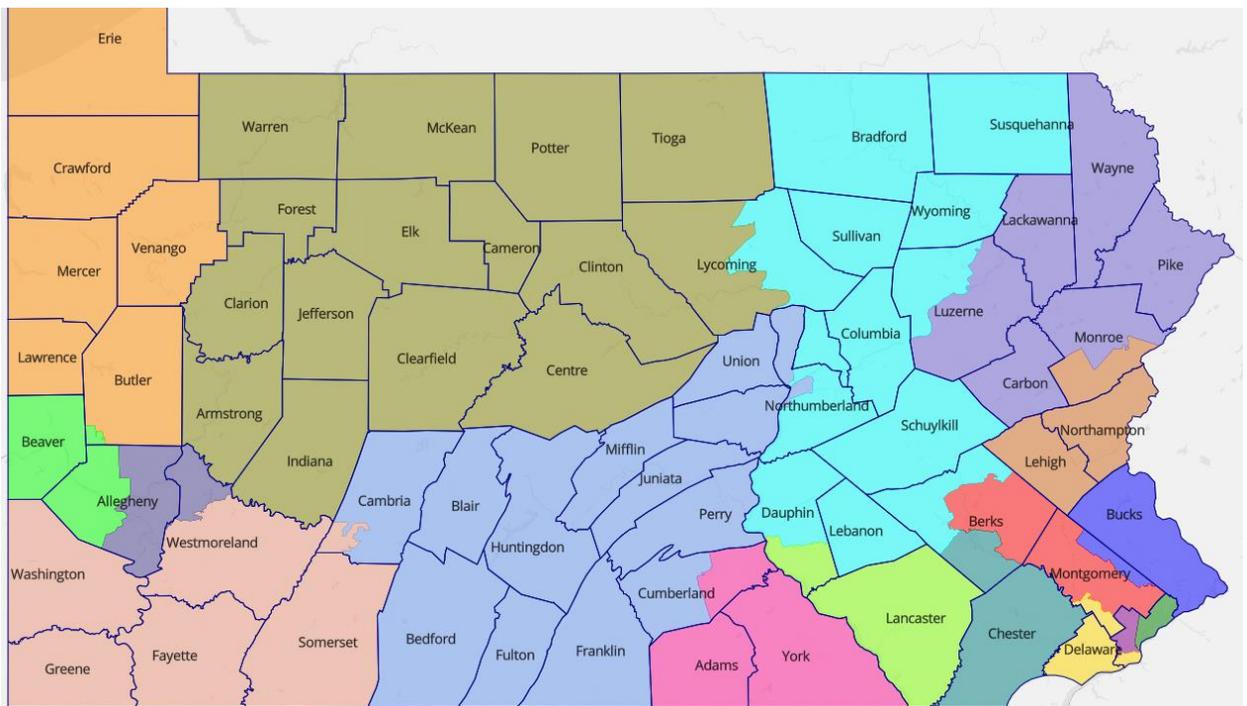
Metrics

	Gov	Gov Alt 2	Citizen	Citizen Alt
Minority Representation				
Majority-Minority Districts	1	1	1	1
Coalition Districts	1	1	1	1
Splits	78	46	69	48
Total Splits	82	50	72	51
Compactness				
Reock	.4012	.4082	.4354	.4312
Polsby-Popper	.3690	.3633	.3671	.3616
Representation				
Likely Number of Democratic Seats	9.11	9.11	8.96	8.96
Republican Leaning	6	6	6	6
Democratic Leaning	7	7	5	5
Competitive Range	4	4	6	6
Number of Responsive Seats	3.77	3.86	4.25	4.27

Governor's Plan

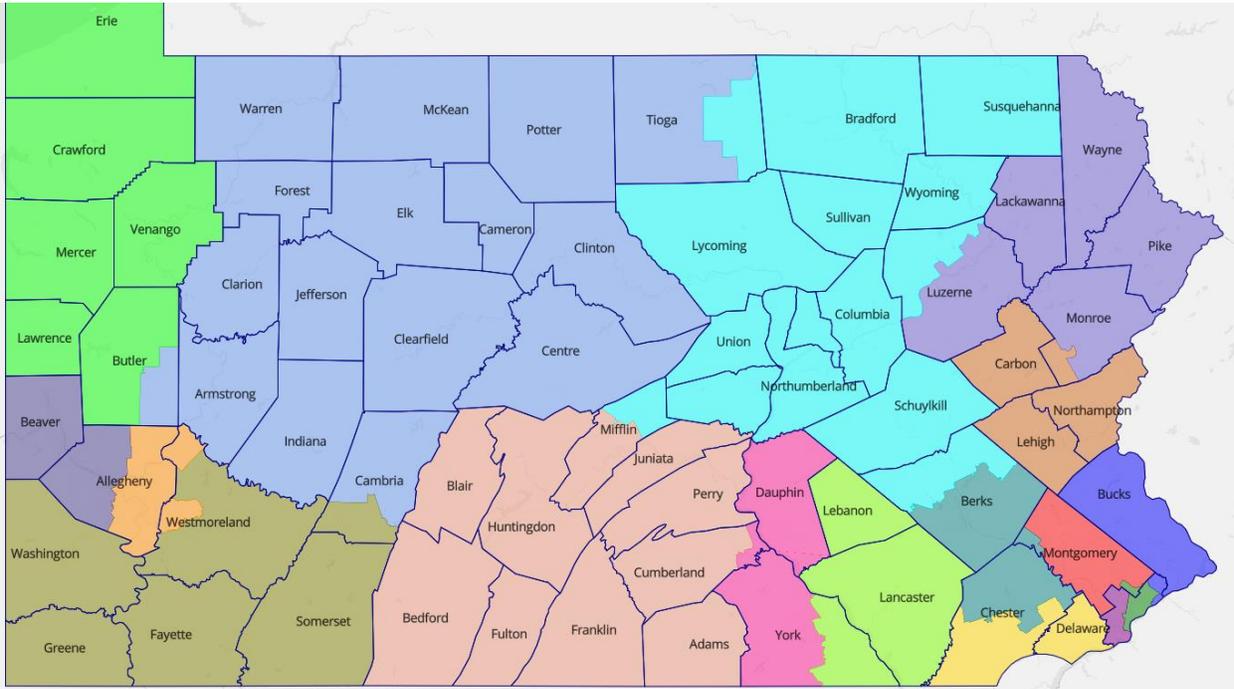


Governor's Plan Adjusted

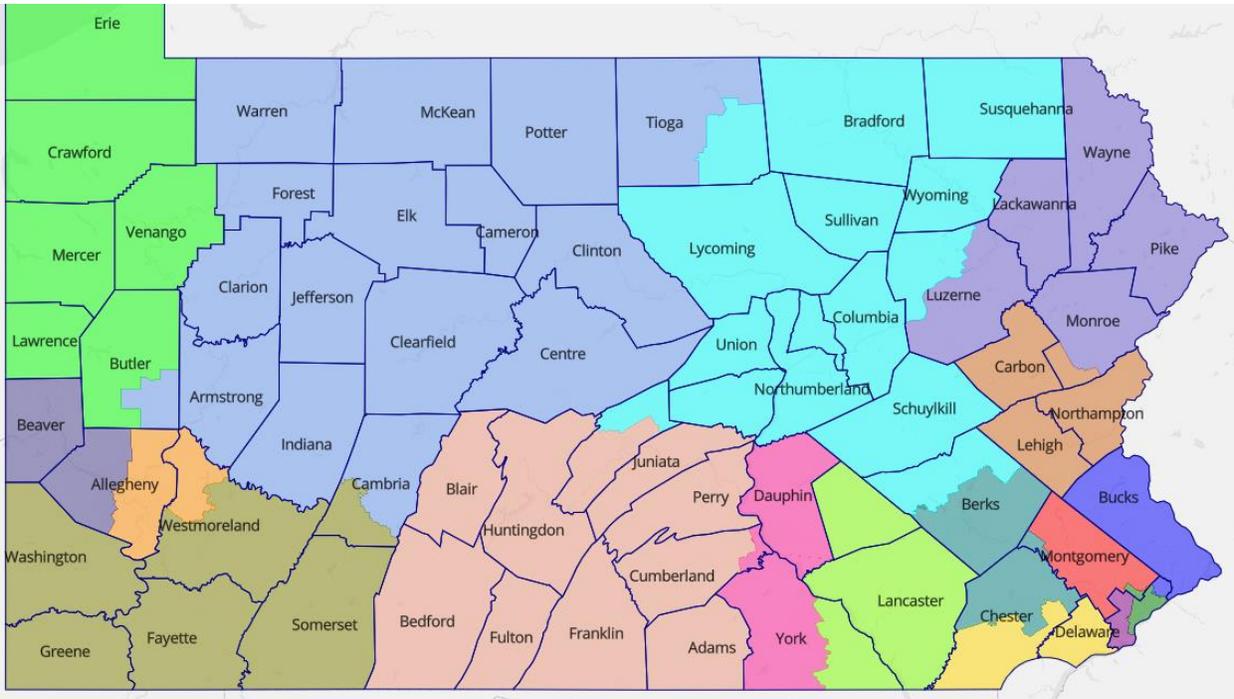


<https://davesredistricting.org/join/619acf70-330b-42e2-952f-87b40cb649ce>

The Citizen's Map



The Citizen's Map Adjusted



<https://davesredistricting.org/join/d4dcfa14-6555-44cf-9461-d214d7be9816>