

**Testimony on Congressional Redistricting Process**  
**House State Government Committee**  
**David Thornburgh, President and CEO, Committee of Seventy**  
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Thank you, Chairs Grove and Davidson, and members of the State Government Committee for holding this important and timely discussion around the congressional redistricting process as we await initial data from the U.S. Census Bureau next month.

For the last four years my organization, the Committee of Seventy, has been heavily involved in this issue. I was nominated by Governor Wolf in 2018 to chair the bipartisan Pennsylvania Redistricting Reform Commission, whose report was released in August 2019. Since 2018 Seventy has also run a project called Draw the Lines PA. Draw the Lines has engaged over 12,000 Pennsylvanians in redistricting-related events, and over 7,000 of them have used public mapping software to draw a map themselves, and have completed 1,500 maps as entries to our biannual mapping competitions. It is abundantly clear that people across the Commonwealth are ready to engage in this process like never before.

Through both the Reform Commission and Draw the Lines, we've learned several crucial lessons that would be beneficial to the General Assembly as it attempts to follow through on its promise to carry out the most transparent redistricting process in the Commonwealth's history.

First, we recommend that the House and Senate work together to develop a meaningful and efficient **program of public engagement** that offers multiple ways for citizens to participate and that distills common themes or points of feedback for map drawers. Second, the State Government Committees should produce at least one **preliminary map** with adequate time for public review and feedback before voting on a final plan to send to the Governor. Third, the General Assembly should ensure that the preliminary and final mapping plans are accompanied by a **narrative** that explains the choices made in the map. Fourth, **use a balance of common sense criteria and citizen input** to inform the map. Deploying that knowledge, we look forward to releasing a Pennsylvania Citizens' Map, based on the values and priorities expressed by our 7,200 mappers, in the coming weeks as a starting point for your work.

### **First principle: Meaningful public engagement**

Given the unprecedented level of public interest in the redistricting process, and the commitment to make this process the most transparent in history, the House and Senate State Government Committees have a great opportunity to structure high quality conversations with

Pennsylvania citizens about the mapping process. To assist in that process, Seventy will soon be sharing its *Roadmap to Transparent Redistricting* with the Committees. The Roadmap will be expanding on the following core set of practices that Seventy has developed in consultation with experts in the field of civic engagement. Those principles include:

1. Holding moderated or facilitated conversations to gauge citizen input on a map or small set of maps that has already been released.
2. Communicating clear expectations for the role of citizen input.
3. Educating citizens before and after the conversation.
4. Asking for public input on the congressional map in its entirety but also on individual districts, focusing on what's right, what's wrong, and what could be improved.
5. Moving past sheer transparency to communicate a sense of clarity around the process—who will decide, by when, based on what.

### **Second principle: Ask citizens to consider a preliminary map or small set of maps**

The first principle is so important that it deserves its own further explanation. The release of a preliminary mapping plan with ample time for public comment substantially increases the quality of public input. In examining draft boundaries, members of the public can identify potential issues with proposed districts in their community, municipality or county, generating feedback of far greater specificity and usability for map makers. The importance of this step was understood by the delegates of the 1967-68 Constitutional Convention, who made sure to codify preliminary mapping as part of the process followed by the Legislative Reapportionment Commission (LRC) for state legislative redistricting.

Once the data is available, we urge the State Government Committees to release publicly at least one and not more than three preliminary congressional mapping plans. This is similar to the constitutional timeline followed by the LRC, which provides a minimum window of 30 days with at least four regional public meetings to receive comments from Pennsylvanians before moving to advance a mapping plan.

This sequence was broadly ignored in the last redistricting cycle. In the 2011 redistricting cycle, SB1249 was introduced as a placeholder on December 7, amended with proposed congressional districts on December 14, and passed the General Assembly on December 20. While there were several public hearings prior to December, those hearings were held without the benefit of a draft map to consider, which made them largely meaningless. The final map, while passed with

bipartisan support, contained some of the worst gerrymanders in the country. To guarantee the most transparent congressional redistricting process in history, citizens must be able to comment on a map or a set of no more than 5 five maps before those maps are presented to the General Assembly for a final vote.

### **Third principle: Present an accompanying narrative that explains the map**

Both the preliminary map(s) and the final approved map must be accompanied by a narrative that “tells the story of the map.” This accompanying narrative should provide a description of each of the 17 districts and answer the following questions:

1. How does this map comply with the traditional redistricting standards currently set out via precedent by the Pennsylvania Supreme Court?
2. In drawing the map, how did mapmakers incorporate public feedback from the public hearings and the districts submitted by citizen mappers?

### **Fourth principle: Use common sense criteria to draw the lines**

There are multiple, valid perspectives on how a map-drawing process can be constructed and with a variety of criteria. The 1,500 maps that have been submitted to the Draw the Lines PA (DTL) competitions provide valuable insights into those perspectives, as did the thousands of public comments and survey responses received by the Redistricting Reform Commission. The following standards were agreed upon by nearly every DTL citizen mapper and reiterated by much of the public feedback to the advisory commission:

- **All districts should be compact, contiguous and nearly equal in population.** These traditional criteria are common in law around the country, including the PA Constitution for legislative districts drawn by the LRC. Compact districts and population equality can be quantified with several respected mathematical calculations. Contiguity simply means that districts may not be separated from themselves at any point.
- **Minimize the division of political jurisdictions.** Of the comments provided to the PA Redistricting Reform Commission, splitting of counties or municipalities among multiple political districts was by far the most frequently named grievance. This seemed to be the case for two reasons: First, any Pennsylvanian can see plainly the division of their county or municipality on a map; and second, as residents of that community they likely had a sense of whether a certain division was justified by some reasonable consideration of geographic boundaries, the protection of racial or language minorities, or some other local community objective. Without any such justification, they assumed jurisdictional



splits were due to a partisan or political factor. Residents of Berks County, for example, could not imagine why their county would be split among four congressional districts other than for some political end.

- **Protect racial and language minorities.** In our diverse Commonwealth, it will remain critically important that minority communities are protected in the map-making process. Section 2 of the Voting Rights Act continues to apply to congressional redistricting in every state and prevents district lines that would deny minority voters an equal opportunity “to participate in the political process and to elect representatives of their choice.” We are fortunate that this federal provision is still in effect, safeguarding minority communities from being “cracked” or “packed” with a discriminatory outcome regardless of intentionality.
- **Mitigate the risk of partisan manipulation.** Finally, the PA Redistricting Reform Commission, plus the vast majority of Draw the Lines mappers, recommended against any use of voter registration data previous election results, at least when drafting preliminary maps for public review and comment.

### Meaningful public engagement will yield a better result

We will soon release *The Pennsylvania Citizens’ Map*, a composite map that takes into account the values, median metric benchmarks, and regional trends that we’ve learned from the hundreds of maps Pennsylvanians have completed through Draw the Lines. It is by no means a perfect map, and we recognize there is no such thing. The *Citizens’ Map*, and its accompanying narrative, could stand as a useful starting point for the work your committee will undertake. It meets or exceeds each one of the metrics achieved by the General Assembly’s 2011 mapping plan and the 2018 remedial map drawn by the Supreme Court. It has been vetted by our mappers, mindful of both the current legal standards and numerous on-the-ground features of the Commonwealth—rivers and mountain ridges, shared economic or cultural interests—that preclude the sort of simple grid-like pattern that may be acceptable in a flatter, more homogenous state.

Thorough engagement of the wider public in the map-making process is essential. We have never believed that redistricting is something that can be handed over to an algorithm. Redistricting is inherently political and, consequently, it requires that people discuss, debate and make reasoned judgments about how and where to consider tradeoffs and competing interests, and draw political boundaries in the best interests of the public. Election maps should be the product of a robust conversation between the represented and those who represent them. This also means that there is no perfect map; rather, we can design a process with clear rules and



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objectives, guided by ample public input, and concluding with a final plan and explanation of that plan. If such a process is followed on behalf of Pennsylvanians, we are confident it would yield a map adequately reflective of the Commonwealth and its diverse interests.

We look forward to working with you.

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