

## **Testimony of Commissioner Marian Moskowitz (Southeast Regional Hearing)**

Good afternoon. I am Marian Moskowitz, Chair of the Chester County Board of Commissioners and Chester County Board of Elections. Thank you for this opportunity to share my views on the upcoming redistricting of Pennsylvania's Congressional Districts.

By way of background, I've been a Chester County Commissioner since January, 2020 and have served in many volunteer roles in the County and statewide including the Board of Governors of the Pennsylvania State System of Higher Education and the Chester County Economic Development Council. And I've been an enthusiastic supporter of free enterprise having partnered with my husband to create businesses employing more than 450 people.

So why am I committed to fairness in redistricting and want you to ensure the same?

My experiences in both the for-profit and non-profit worlds have taught me that economic well-being and good public policy is dependent upon a system of transparent rules by which we all play. When those principles are manipulated to benefit one group or another, our faith in the whole system is endangered. Indeed, the practice of drawing legislative boundaries to favor one party or reduce the influence of certain voters is a fundamental assault on our system resulting in a political monopoly antithetical to our democracy. And both parties do it resulting in districts that are less competitive, push candidates to support party over policy, and result in polarization instead of problem solving. Numerous studies confirm that gerrymandering contributes significantly to our current hyper-partisanship.

While gerrymandering has been around for a long time, sophisticated software has allowed both parties to take the practice to a whole new level causing notable increases in gridlock. Research shows that while only 25 percent of "salient issues" deadlocked in Congress during the 1940s, the figure reached 74 percent by this past decade. And because "being primaried" has emerged as the principal threat to politicians, they are more ideological and have been forced to tack left and right (1).

In the 2010 redistricting, my home Chester County was the victim of some of the worst examples of gerrymandered Congressional districts in American history. While most everyone remembers the infamous "Goofy Kicking Donald Duck" 7th District that spread across four counties including Chester County with some sections only a block wide, many forget that other districts, such as the 6th, 12th, 13th, and 16th, were nearly as badly drawn specifically for political advantage. As an elected official responsible for elections and a host of services in our County, and during my years of work in economic development, I saw first-hand how the extreme gerrymandering of Chester County confused voters, stalled work to achieve policy reforms, and made our efforts to access federal resources more difficult than necessary

You have the power to prevent this from happening again and restoring public faith in our system of government. I urge you to do the following:

- 1) When drawing districts, start with a blank map with no predetermined lines or efforts to protect or punish sitting legislators. And do not use political data except to test that the districts are not inadvertently gerrymandered.
- 2) Keep communities and counties whole unless absolutely necessary and provide an explanation to the public if you decide not to do so. To that end, based on its population and overlapping

communities of interest, keep Chester County in one district. And under no circumstances should any precincts be split.

3) Consult publicly with experts on the best ways to ensure racial equity and adherence to the Voting Rights Act. Communities in my county such as Coatesville, Kennett Square, and Phoenixville should not be divided up to reduce their majority-minority influence.

4) Please resolve to count incarcerated persons in their home communities as statute requires [Title 25, § 1302 (a) (3)] (2). More than 1,000 Chester County residents incarcerated in prisons across the Commonwealth rely on their families and friends in our municipalities while receiving little or no support from the places they serve their time. Indeed, legislators whose districts host prisons often ignore requests for help from inmates. And now that the Legislative Reapportionment Commission has voted to count prisoners in their hometowns so should you. The Department of Corrections has the information and this is an adjustment you can make to census data that the Supreme Court permits.

5) Be mindful of geographic features that represent natural borders for districts. In some regions that means running lines along a mountain ridge rather than over it and recognizing major rivers as natural boundaries. The Schuylkill River separating Chester and Montgomery Counties is an example of a river boundary that matters.

6) Communities of interest should be considered. For example, Chester County produces more mushrooms than anywhere in the world and its growers face unique challenges. It would make no sense to divide that largely local community of interest into multiple districts. Please use input like this as you set your mapping priorities.

7) Finally, while I congratulate you on making this redistricting process more transparent than any other in my memory, you can do more. Please agree to publicly share and accept suggestions on your proposed Congressional districts map before you vote on it. Give the public at least four weeks to review the map and offer suggestions before its finalized. And please supply your map in a format the public can understand along with information about the criteria you used to draw it and which consultants drew it.

Thank you for giving me this opportunity to offer this testimony and for your work to ensure that our new Congressional district map is fair. You have it in your power to help restore citizens' faith in our democracy.

(1) Katherine M. Gehl and Michael E. Porter, *Why Competition in the Political Industry is Failing America*, Harvard Business School Report, September, 2017.

(2) The practice of counting individuals in places where they are incarcerated is contrary to Pennsylvania law [Title 25, § 1302 (a) (3)], which states clearly: "no individual who is confined in a penal institution shall be deemed a resident of the election district where the institution is located. The individual shall be deemed to reside where the individual was last registered before being confined in the penal institution, or, if there was no registration prior to confinement, the individual shall be deemed to reside at the last known address before confinement."