

**Rose Institute of State and Local Government
Claremont McKenna College**

**A Model Redistricting Reform Proposal:
Summary of Key Provisions**

The Rose Institute has studied redistricting abuses and potential reforms since our founding in 1973. As the computers, data, and technicians have advanced, the Institute has advanced its capabilities to keep ahead of even most states' capabilities, which has given us a unique ability to review, measure, and study the impact that redistricting can have on the effectiveness of state and federal government and on the quality of representation for the people of California and the nation.

As a result of decades of work, the Institute has developed a model proposal for redistricting reform. It is based on our research, on the real-world experiences of reform efforts here and in other states, and on interviews with literally hundreds of people involved in redistricting, including legislators, their staff, journalists covering the issue, and outside activists who influenced this issue.

The following is a summary of the central provisions that the Institute believes form the basis for an effective redistricting reform. More detail is available if desired.

The Redistricting Power

- Legislators have too much self-interest in the results of redistricting to hold such power over their own futures;
- A bipartisan commission, comprised of members of each party with an independent tie-breaker, is a vast improvement over legislatively-controlled redistricting, but such commissions in many cases result in less-than-perfect bipartisan gerrymanders;
- While no approach is perfect, an independent commission comprised of retired judges with partisan balance among the randomly-selected retired judges is the best approach to guaranteeing a redistricting effort that focuses on representation and community preservation rather than incumbent interests and partisanship.

The Selection of Commissioners

- All retired federal judges, as long as they are no older than 75 years of age and they left their posts for reasons other than chronic disability, should be placed into pools based on their voter registration and three judges selected at random for the Commission: one Republican, one Democrat, and one member not from either major party.

Principle-driven redistricting

- The redistricting work of the Commission should be guided by strict criteria:
 - “Nesting” of two Assembly districts into each State Senate district, and ten State Senate districts into each Board of Equalization district;
 - Populations of districts shall vary from the ideal by no more than one percent;
 - All plans must comply with the Voting Rights Act
 - Plans should favor the creation of competitive districts to the greatest extent possible while remaining in compliance with the other criteria

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- Districts should be compact and contiguous, with reasonable access between population centers in the districts
- No two districts should cross any common county, city or community border more than once
- The number of divided counties, cities, or communities should be minimized
- No consideration of incumbent home addresses

Definition of Communities

- “Community of Interest” is perhaps the most common phrase heard during the 2001 redistricting cycle. A wide range of definitions arose, and in many cases no definition was used at all. This led, in some cases, to the abuse of the “community of interest” concept.
- The Rose Institute has developed a solution to this issue, which we call “Units of Representation”
- The first step is to take the power to define communities away from the redistricting commission and place it with a special committee in each county, comprised of an appointee from each County Supervisor and Mayor in the county
- This “Community Committee” will divide the entire county into “Units of Representation” (URs)
- Cities are obvious starting points for URs, however some URs will be larger than cities and larger cities will be divided into multiple URs
- The population of the URs is limited to ensure districts can be drawn to comply with the equal population requirements with a minimum of UR divisions
- Separating the power to define communities from the power to draw district boundaries eliminates the temptation to define “communities” to meet some hidden agenda other than community unification and representation

Public Participation

- Extensive public participation and input in the redistricting process is vital to creation of a good and representative redistricting plan
- An initial round of hearings should be held prior to the adoption of any draft redistricting plans by the Commission
- The public should be provided the data and the encouragement to develop and submit their own ideas for redistricting, both statewide and in their immediate area
- Draft Commission redistricting plans should be distributed for comment and revision, with plenty of time for review prior to the discussion or vote
- Any significant revisions to the plans should have to be resubmitted to the public for review and comment prior to adoption by the Commission

Post-Adoption review

- The Commission’s plans should be subject to a traditional referendum, though unlike a traditional referendum the plan would be used until the referendum passes, rather than being suspended once enough signatures for the referendum are submitted
- The state Supreme Court shall have sole state jurisdiction over all lawsuits related to the Commission’s redistricting effort