



# Redistricting Reform Task Force 2017 Report and Recommendations

October 2017

“I think we’ve got to end the practice of drawing our congressional districts so that politicians can pick their voters and not the other way around. Let a bipartisan group do it.”

– [President Barack Obama in 2016](#)



“The fact is gerrymandering has become a national scandal. . . . The congressional map is a horror show of grotesque, contorted shapes. Districts jump back and forth over mountain ranges, cross large bodies of water, send out little tentacles to absorb special communities and ensure safe seats.”

– [President Ronald Reagan in 1987](#)



## **About the Task Force:**

The multi-partisan Redistricting Reform Task Force was formed to help put power back in the hands of the people and remove the partisan influence that leads to gerrymandering. The task force included members from the Democratic, Republican, Independent, Libertarian, Pacific Green, and Progressive Parties, as well as the nonpartisan League of Women Voters and an unaffiliated voter. Over several months of meetings, the task force heard from experts like Former Secretary of State Phil Keisling, the City Club of Portland, and the Sightline Institute.

## **Oregon Can Do Better**

The task force concluded that Oregon's current system of redistricting, like most such systems around the nation, is defective and should be overhauled. Redistricting is currently controlled by the legislature and is susceptible to political manipulation. Redistricting efforts in past years have resulted in accusations of gerrymandered maps that favor partisan interests or protect incumbents. Although the 2011 redistricting plan was approved by the legislature with bipartisan support, it has been criticized as a pro-incumbent map that placed the interests of politicians ahead of the interests of the citizens. There is an inherent conflict of interest in allowing legislators to draw their own districts and pick their own voters. The best way to fix Oregon's redistricting system is to create a citizen-driven process that places power back in the hands of average Oregonians.

## **The California Citizens Redistricting Commission Model**

Upon reviewing several best practice models for redistricting, the task force agreed that the widely acclaimed California Citizens Redistricting Commission is the best model for reform. The California plan created a process for selecting an independent commission of non-politicians to draw district lines. The California Citizens Redistricting Commission was recently named winner of 2017 Public Engagement Award by the Ash Center for Democratic Governance and Innovation. The task force also studied models based on computer-assisted redistricting. Overall, the task force concluded that any reform adopted in Oregon should take into consideration our state's relatively small population and other relevant characteristics.

## **Recommendations with Broad Consensus:**

### ***1. Redistricting should be done by an independent commission.***

- a) The task force proposed a multi-party commission of eleven members, including three registered with the political party with the most registered voters, three with the party with the second-most voters, and five from other parties or unaffiliated.
- b) To avoid political bias, during a fixed number of years preceding appointment, members should not have been, or be related to, any of the following: state or federal elected officials; candidates for state or federal office; political party leaders; employees or paid consultants of a political party, campaign, or public official; registered lobbyists; or a large donor to political campaigns (\$2,000+).
- c) In addition, for a fixed number of years after joining the commission, members would not be able to hold elected or appointed public office, be a paid legislative employee, or be a registered lobbyist in Oregon.
- d) Applicants for the commission would be screened for qualifications by three randomly-selected, qualified, and independent auditors of diverse party affiliations, who would create three twenty-member pools that reflect Oregon's political diversity.
- e) Members of the commission would be randomly selected from these pools to ensure fairness.
- f) The commission should receive independent state funding and hire its own staff.

### ***2. Redistricting should be an open and transparent process.***

- a) All commission meetings and records should be open to the public.
- b) The commission should hold public hearings throughout the state to receive citizen input before drawing a map.
- c) The commission should hold additional public hearings throughout the state to receive further citizen input on a proposed map.
- d) The final map could only be approved by a supermajority vote of at least seven members of the commission, of whom at least one would be registered with the party with the most registered voters, one registered with the party with the second-most registered voters, and one other.
- e) The legislature should not be able to change the final map.

**3. *Criteria used to create district lines should be fair and transparent.***

- a) Redistricting maps must comply with the following criteria:
- Conform to the US Constitution, Voting Rights Act, and any other federal law;
  - Have equal population as nearly as is practicable (within 1%) for districts of the same legislative body; and
  - Be geographically contiguous.
- b) The commission must not:
- Consider the residence of an incumbent or political candidate;
  - Favor or discriminate against an incumbent, political candidate, or political party; and
  - Include an area in a district for the purpose of diluting the voting strength of any language or ethnic minority group.
- c) Additional criteria should be ranked by priority, such that a more important criterion is satisfied before a less important criterion is applied. Without recommending a preferential order, such criteria should include:
- Keep county, city, school district, and census tract boundaries intact;
  - Respect communities of interest; and
  - Avoid crossing major geographic barriers like mountains, rivers, or freeways.
- d) All criteria used to create district maps, including those applied with computer assistance, should be transparent.

**4. *Any change to the language of the Oregon Constitution should not preclude the possible future creation of multi-member districts or changes in election method.***

**Unresolved Matters:**

- The task force discussed specifying criteria to be incorporated in computer redistricting software and considered many such criteria for specification, but was unsure whether computers are capable of applying multiple specified criteria.
- Some task force members urged a party competitiveness criterion for drawing maps, possibly based on the efficiency gap analysis from *Gill v. Whitford (2016)*. Others argued that party composition of the electorate should not be allowed as a factor of analysis. Some argued the importance of a geographic compactness criterion, which could conflict with a party

competitiveness criterion. None of these positions achieved consensus within the limited time available for discussions.

- Some task force members argued that multi-member districts with proportional representation would be more representative of voters than single-member districts. Others regarded the concept as worthy of consideration, but believed that this was too big of a change to propose at this time.
- The general consensus was that the independence of a commission required some degree of complexity in selecting commission members, but some members expressed concern that our specific proposal may be more complex than necessary.

### **Task Force Members:**

- Dr. Alan Zundel, Co-Chair of the State Coordinating Committee of the Pacific Green Party of Oregon, Task Force Administrator
- Dennis Richardson, Oregon Secretary of State
- Tim Knopp, Oregon State Senator
- Jeff Barker, Oregon State Representative
- Julie Parrish, Oregon State Representative
- Knute Buehler, Oregon State Representative
- Sal Peralta, Secretary of the Independent Party of Oregon
- Seth Woolley, Secretary of the Pacific Green Party of Oregon
- Dan Meek, representative of the Oregon Progressive Party
- Michelle Binker, member of the Libertarian Party of Oregon
- Norman Turrill, President of the League of Women Voters of Oregon
- Marisha Childs, attorney and member of the Democratic Party of Oregon
- Eric Winters, attorney and unaffiliated voter