DINNER & DIALOGUE

PROPOSALS 18-2 AND 18-3

ISSUES FORUM

AGENDA

OCTOBER 18TH, 2018

- Welcome & Context
- Opening Clickers
- Proposal 18-3 & Speaker
- Proposal 18-2 & Speaker
- Table Activity
- Closing Clickers
UNITED STATES

US Senate
(100 national total; 33 nationally up for election; 2 MI total; 1 seat up for election in MI)
2 Senators from each of the 50 states are elected to pass laws and adopt the budget for the whole country.

US House of Reps.
(435 national total; 14 MI total; 2 Detroit)
Lawmakers who are elected from all 50 states who come together to make laws and pass the budget for the whole country.

PROPOSALS 18-2 AND 18-3 ISSUES FORUM

WAYNE COUNTY

Wayne County Comm. College Board of Trustees
(9 total; 5 Detroit; 3 seats up for election)

Probate Court
(8 total; 3 seats up for election)
Probate judges deal with wills and estates - such as what happens when a homeowner dies without a will and there is a question about who now owns the house.

Wayne County Commissioners
(16 total; 7 Detroit)
Legislators for Wayne County: adopts the budget and enacts ordinances.

3rd Circuit Court
(58 total; 19 seats up for election)
Circuit Court judges deal with larger civil cases, criminal cases (eg. drugs, violence), and family cases (eg. child custody, domestic violence, divorce).

36th District Court
(31 total; 11 seats up for election)
District court judges deal with traffic violations, landlord/tenant issues, lawsuits up to $25,000 and money disputes up to $6,000.

County Executive
Top executive for Wayne County. Responsible for delivering county services, implementing county laws.

Detroit City Charter Revision Commission
(9 seats up for election)
The Detroit City Charter is Detroit’s constitution and governing document for how the City’s government is structured and operates. The Commission will review and may revise as determined.

Detroit

DPSCD School Board
(7 total; 2 seats up for election)
Hires the Superintendent, establishes policies for the district, approves the budget, and determines facility needs.

Wayne County Probate Court
(8 total; 3 seats up for election)
Probate judges deal with wills and estates - such as what happens when a homeowner dies without a will and there is a question about who now owns the house.
MI House of Reps
(110 state total; 10 Detroit)
Lawmakers who are elected from all over Michigan to make laws and pass the budget for the whole state.

MI First District Court of Appeals
(6 total; 2 seats up for election)
Governor/Lt. Governor
Top executive for the State of Michigan. Signs off on laws passed by the State legislature and implements those laws.

Wayne State Board of Governors
(8 total; 2 seats up for election)

MI Supreme Court
(7 total; 2 seats up for election)

Secretary of State
Chief election officer. Oversees vehicle registration and licensing of drivers.

Attorney General
Chief law enforcement officer. Legal advisor to state gov.

MI Senate
(38 state total)
Lawmakers who are elected from all over Michigan to make laws and pass the budget for the whole state.

MSU Board of Trustees
(8 total; 2 seats up for election)

State Board of Education
(8 seats total, 2 seats up for election)
Leadership and general supervision over all public education, adult education and instructional programs in state institutions, except institutions granting bachelor degrees.

Wayne State Board of Governors
(8 total; 2 seats up for election)

UMich Board of Regents
(8 total; 2 seats up for election)

Proposal 18-1
A proposed initiated law to authorize and legalize possession, use and cultivation of marijuana products by individuals who are at least 21 years of age and older, and commercial sales of marijuana through state-licensed retailers.

Proposal 18-2
A proposed constitutional amendment to establish a commission of citizens with exclusive authority to adopt district boundaries for the Michigan Senate, Michigan House of Representatives and U.S. Congress, every 10 years.

Proposal 18-3
A proposal to authorize automatic and Election Day voter registration, no-reason absentee voting, and straight ticket voting; and add current legal requirements for military and overseas voting and post-election audits to the Michigan Constitution.
Our Partners

Deltas
Delta Sigma Theta Sorority, Inc. was founded in 1913 by 22 students at Howard University. A sisterhood of more than 250,000 predominantly Black college educated women, the sorority currently has 940 chapters around the world. The Detroit Alumnae Chapter was chartered on May 13, 1939 as Alpha Pi Sigma Chapter and was later renamed as the Detroit Alumnae Chapter in 1958. DAC is one of the largest chapters in the sorority with membership averaging over 700 members annually.

The sorority has a Five Point Programmatic Thrust that drives its programs: Economic Development, Educational Development, International Awareness and Involvement, Physical and Mental Health, and Political Awareness and Involvement.

DAC has received the 2015 National Social Action Award, the 2017 Midwest Region Award for Exemplary Programming in Economic Development, and the 2015 & 2017 Midwest Region Large Alumnae Chapter of the Year Award.

detroitdeltas.org

League of Women Voters
The League of Women Voters of Detroit (LWV) is a non-partisan political organization that encourages informed and active participation in government. The League does not endorse candidates or political parties. It influences public policy through education and advocacy. The League invites you to join them as we make democracy work in our communities. The LWV of Detroit is open to new members who share their ideals. The League registers new voters, educates voters on upcoming elections, and advocates for local issues. They work to engage Detroit, Hamtramck and Highland Park citizens in local governance, decision-making, and issues of interest.

www.lwvdetroit.org

Go to informdetroit.org so you can stay informed. Know your candidates. Then vote!

CitizenDetroit has interviewed candidates running for office in 2018.

For candidate videos and questionnaires, visit InformDetroit.org
For judicial candidate evaluations, visit DetroitLawyer.org/judges/
To find your polling location and districts, visit Michigan.gov/vote

General Election is Tuesday, November 6th, 2018
WHAT IS A BALLOT INITIATIVE?

Article XII, Section 2 of the State Constitution prescribes the process for citizens to directly pass amendments to the State Constitution or initiate legislation.

- All petitions are started by filing with the Secretary of State.
- Petitioners must gather the signatures of 10% of registered voters who voted during the last gubernatorial general election (315,653 voters) within 180 days of filing with the Secretary of State.
- Petitions must be received by the Secretary of State at least 120 days prior to election day.
- Once signatures are turned in, the State Board of Canvassers compares and verifies the validity of the signatures against the State’s Qualified Voter File, where all voter registration information is stored.
- A final determination must be made by the Board at least two months before the election that the petition is attempting to join.
- If the proposal passes affirmatively the initiative is added to the State constitution 45 days after the election.
- If two conflicting ballot initiatives pass, the one with the highest affirmative vote total prevails.

An inside look at Proposal 18-1
The Michigan Marijuana Legalization Initiative.

Learn more about the ballot proposal that would legalize recreational use and possession of marijuana in Michigan.

October 25th, 2018 5:30 to 8:30 pm at IBEW.

Register here: tinyurl.com/CD-OCT25
PROPOSAL 18–3

VOTING RIGHTS

Proposal 18-3 is a constitutional amendment ballot initiative that would prescribe and enumerate specific protections and procedures for voters during the election process. Proposal 18-3 amends Article II, section 4 of the Michigan Constitution by taking the original language and expanding upon it to codify specific rights and protections such as the right to be automatically registered to vote when obtaining a driver’s license or State ID at a Secretary of State office; the ability for military personnel to request a ballot; and the extension of the period to register to vote (Current law is 30 days before the election, petition indicates 15 days prior by mail, and up to election day in person).

In detail, Proposal 18-3 specifies for the following:

- Secret ballots in all elections
- Members of the military will have an absentee ballot sent to them 45 days prior to an election
- Restoring the right to straight-party voting
- Automatic voter registration during any business conducted at Secretary of State office regarding driver’s license renewal or personal identification card
- Voter registration by mail up to 15 days prior to the election, and in person up to and on the day of election
- “No reason” absentee voting during the 40 days leading up to election day.
- The right to have a statewide election audited.

PROPOSAL 18-3

A proposal to authorize automatic and Election Day voter registration, no-reason absentee voting, and straight ticket voting; and add current legal requirements for military and overseas voting and post-election audits to the Michigan Constitution.

This proposed constitutional amendment would allow a United States citizen who is qualified to vote in Michigan to:

- Become automatically registered to vote when applying for, updating or renewing a driver’s license or state-issued personal identification card, unless the person declines.
- Simultaneously register to vote with proof of residency and obtain a ballot during the 2-week period prior to an election, up to and including Election Day.
- Obtain an absent voter ballot without providing a reason.
- Cast a straight-ticket vote for all candidates of a particular political party when voting in a partisan general election.

Should this proposal be adopted?

YES  ☐  NO  ☐
PROPOSAL 18-3 POINTS OF VIEW

YES - PROPOSAL 18-3

This proposal will ensure easier access to voting. Michigan residents will be proactively presented an opportunity to register to vote upon renewal of a driver’s license or state identification card whenever they transact such business at their local Secretary of State office.

Proposal 18-3 will allow for “no reason” absentee voting; in-person same day voter registration up to and on the day of election; and will assist citizens living abroad and active duty military personnel by extending voter registration periods.

Proposal 18-3 would restore Michigander’s right to straight party voting. Straight party voting shortens the time in the voting booth by allowing voters to cast a single vote for multiple partisan candidates according to party preference. This provision is especially critical for the vulnerable and less literate members of our population.

NO - PROPOSAL 18-3

While few groups have opposed Proposal 18-3, there are a handful of dissenters who have spoken out against it. Tony Daunt, Executive Director of the Michigan Freedom Fund, points to the problem of enshrining public policy changes into the state constitution, rather than through the legislative process. The Citizens Research Council of Michigan has taken no formal position on the proposal, but they have noted that, “Housing public policy preferences within the state constitution makes it more difficult to remove or modify them, effectively insulating them from legislative responsibility and discretion.”

Secretary of State Candidate Mary Treder Lang, has argued that some of the provisions from Proposal 3 are already on the books and would be redundant if passed into the State Constitution. Further, local clerks would be additionally burdened by having to implement same-day voter registration policies during the election period; and it would be increasingly difficult to verify citizenship status of applicants under same-day policies.

GET OUT THE VOTE DOOR DASH

Saturday October 27th 10 am - 1 pm

Cider, Donuts, Coffee and Door Knocking.

CitizenDetroit Office 2020 14th Street, Detroit

Please call 313-334-3131 to sign up!
CURRENT MICHIGAN CONGRESSIONAL MAP – A

This map was drawn in 2011 by a Republican controlled House, Senate and Governor. It is likely drawn to maximize Republican gains and control in Congress.

Elements
In this map, Detroit’s districts stretch across the city connecting areas a great distance apart. Districts in this map are not very compact. The map respects county lines and infrequently splits them. This map is very close to the majority-minority map and preserves two majority-minority Detroit districts.

Questions
Do you like your current congressional district and the areas it includes?

Do you think this map indicates Michigan is currently gerrymandered?
REPUBLICAN GERRYMANDERED MAP – B

The map is drawn to maximize the number of districts that usually vote Republican – seats where a Republican has greater than a 5-in-6 chance of winning the election.

Elements
This map is gerrymandered by the Republican party. This means the Republican party drew the district boundaries to maximize their victory of seats. Map shape will ensure Republican victory unless there are very large swings in voter preference. Map B keeps Detroit split between the 13th and 14th district as it already is.

Questions
If your party was in control and had the ability to stay in control would you then favor gerrymandering?
Is this map representative of Michigan? Should all the Democratic votes be packed into southeastern Michigan?

<table>
<thead>
<tr>
<th>Republican gerrymander</th>
<th>Usually Democratic Districts</th>
<th>Highly Competitive Districts</th>
<th>Usually Republican Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>4</td>
<td>4</td>
<td>6</td>
</tr>
</tbody>
</table>
DEMOCRATIC GERRYMANDERED MAP – C

The map is drawn to maximize the number of districts that usually vote Democratic – seats where a Democrat has greater than a 5-in-6 chance of winning the election.

Elements

This map is gerrymandered via the Democratic party. This means the Democratic party was the party in power, and had the responsibility of redrawing the district boundaries. Democrats are favored by an 8% win margin with this map; and maintains Detroit’s split between the 13th and 14th district.

Questions

Some critics might call partisan gerrymandering cheating. Would you call it cheating?

Do you prefer gerrymandering if it is your party that engages in it?
COMPACT DISTRICTS MAP – D

The map is drawn using a computer algorithm and has compact districts that keep constituents of a district as close together as possible. An algorithm is computer software that uses a precisely defined sequence of data processing, automated reasoning and calculation to reach its conclusion.

Elements
The compact map keeps state regions and constituents together. The compact map is very competitive with 5 seats likely to go to either party. Map D’s borders don’t follow county lines and split many road or county borders.

Questions
Do you like the split of Detroit into a western and eastern district?
How important is having a district composed of a similar geography, people and area?
HIGHLY COMPETITIVE DISTRICT – E

This map is drawn to maximize the competitiveness of political districts by distributing as close to an equal amount of Democrats and Republicans within it.

Elements
This map would be most likely drawn by the independent commission and reflects favor for neither political party. This map connects all of Detroit and the Southwestern portion of Oakland County (Southfield, Oak Park, etc.) under one Congressional district that is heavily Democratic. This map would produce two majority-minority districts. Statewide, this map would have two reliably Democratic districts, three reliably Republican districts, and nine swing districts that would be highly competitive.

Questions
It is likely that due to the highly competitive nature of the new districts, political races could potentially become more expensive. Who would benefit from that arrangement, and what kind of candidate would these elections likely produce? Will this reduce partisanship amongst our political climate and our elected officials?
A Majority-Minority Map creates districts where members of a single minority group make up a majority of the voting-age population. Where additional majority-minority districts are not possible, the map settles for “coalition” districts, in which no racial group makes up a majority of the population.

**Elements**
The Majority-Minority Map is semi-competitive. There is a 1-in-6 chance in which both parties have a chance of winning. With the map redistricted this way, four of the districts are majority-minority districts. With the map drawn to favor Majority-Minority, there will be an up-tick of +20% Republican votes. There will be only two districts in Michigan where the majority of the voting-age population is non-white, if the map was drawn to maximize the number of majority minority districts.

**Question**
If district lines were drawn to favor Majority-Minority districts, Detroit would always be limited to a maximum of two representatives. Are you comfortable with limiting your representation to have someone who looks like you opposed to maximizing the number of representatives that align with your party affiliation?

What is the difference between cracking and packing? Does packing only affect Majority-Minority districts?
AN INDEPENDENT REDISTRICTING COMMISSION

Proposal 18-2 addresses the problem of gerrymandering in Michigan.

The Proposal creates an Independent Commission of citizens who all draw our 14 U.S. Congressional districts, 110 Michigan House of Representatives districts and 38 Michigan Senate districts.

This proposal would amend the State Constitution to create a 13-member redistricting committee with four Democrats, four Republicans and five members who will be “non-affiliated,” independent registered voters. Elected lawmakers or state employees would be not allowed on the redistricting commission. The current Michigan process allows the Michigan legislature to draw districts and approve them with the Governor.

PROPOSAL 18-2

A proposed constitutional amendment to establish a commission of citizens with exclusive authority to adopt district boundaries for the Michigan Senate, Michigan House of Representatives and U.S. Congress, every 10 years

This proposed constitutional amendment would:

- Create a commission of 13 registered voters randomly selected by the Secretary of State:
  - 4 each who self-identify as affiliated with the 2 major political parties; and
  - 5 who self-identify as unaffiliated with major political parties.
- Prohibit partisan officeholders and candidates, their employees, certain relatives, and lobbyists from serving as commissioners.
- Establish new redistricting criteria including geographically compact and contiguous districts of equal population, reflecting Michigan’s diverse population and communities of interest. Districts shall not provide disproportionate advantage to political parties or candidates.
- Require an appropriation of funds for commission operations and commissioner compensation.

Should this proposal be adopted?

- YES
- NO
PROPOSAL 18-2 POINTS OF VIEW

YES - PROPOSAL 18-2

The group behind Proposal 18-2, Voters Not Politicians, says it will improve Michigan’s redistricting process. Currently, politicians draw the districts in which they run, and Proposal 18-2 will replace politicians with a balanced commission of Republican, Democratic and Independent citizens to make districts free of lawmaker manipulation.

Proposal 18-2 would make districts more competitive and fair to both parties, allowing for true competition and contests between viable candidates. Furthermore, ending gerrymandering may create more politically moderate lawmakers. When political parties shape districts to ensure victory, the general election no longer matters and it is the primary election that determines the victors.

Inter-party primaries create candidates who are more extreme in their positions, as they campaign to their party’s base, knowing they don’t need moderate voters in a general election. Proposal 18-2 will make districts more competitive and return significance to general election voters and moderate candidates.

NO - PROPOSAL 18-2

Citizens Protecting Michigan’s Constitution (CPMC) is an organization affiliated with the Michigan Chamber of Commerce that is countering Proposal 18-2. The argument posed by CPMC is that the proposal would significantly alter Michigan’s government by creating an un-elected independent commission that would be less responsive to citizens, compared to the citizen-elected representatives and senators who currently control the redistricting process.

Further, it is theoretically possible that producing non-partisan districts could change the way districts are drawn in predominantly urban, majority-minority districts in a way that dilutes the political power of those communities.

It should be noted that the Federal Voting Rights Act (VRA) is designed to protect against any such attempt to marginalize the voting power of minority communities, and the interplay between the VRA and Proposal 18-2 is yet untested. Proposal 18-2 will likely make districts more competitive and increase the campaigning efforts of lawmakers. An increased focus on political elections by congresspeople may distract them from governing.

Will Michigan lose another congressional seat?

Estimates from the Election Data Services predict Michigan will lose another seat from 14 to 13 in the 2021 reapportionment. Controlling legislators or an independent commission will dictate where Michigan loses its next congressperson.
ALERT

Straight Party Voting will not be available in this year’s election on November 6th.

The 6th Circuit Court of Appeals overturned a lower Federal District Court decision by Judge Gershwin Drain to keep Michigan’s Straight Party Voting system, despite the Michigan Legislature banning it.

PROPOSAL 18-2 DETAILS

REDISTRICTING PLAN MUST

- Districts will be equal in population and abide by federal law. Districts be contiguous.
- Shall reflect the state’s diverse population and communities of interest
- Shall not provide a disproportionate advantage for any political party.
- Shall not favor or disfavor and incumbent or candidate for office.
- Shall reflect consideration of county, city and township boundaries.
- Shall be reasonably compact.

INDEPENDENT COMMISSIONERS

13 Commissioners comprised of 5 Independents, 4 *Democrats and 4 *Republicans

- Registered and Eligible to vote in MI
- Must NOT in past 6 years be:
  - A declared candidate for any fed, state or local office
  - An elected official for any fed, state or local office
  - An officer or member of the governing body of any pol party (fed, state or local)
  - A paid consultant or employee of an elected official, candidate, PAC, state legislature, lobbyist, unclassified state employee, state armed forces or of the state institutions of higher education
  - A parent, child, step-child, spouse, step-parent of any individual cited in the above bullet
  - Otherwise disqualified for appointed or elected office by this constitution
  - After Serving on Commission, for 5 years, a commissioner cannot hold office in any local (village, township, city, ect...), county or state position

*Each of the two parties with the largest political representation in the Legislature
PROPOSAL 18-2 DETAILS

SELECTION OF THE COMMISSION
Secretary of State(SOS) will mail out and accept applications for the commission and randomly select 60 applicants from each party, 80 from the non-party affiliates.

- 50% of each pool will be mailed in applications from the SOS mailings.
- The random selection process should use statistical weighting methods to make sure the pools as closely as possible reflect the demographic and geographic makeup of the state.

Both party leaders may each strike 5 people from the applicant pools or 20 in total from the 200 applicants. SOS will randomly draw the names of 4 commissioners from each party pool and 5 commissioners from the non-party pool to serve on the commission

OTHER PROCESSES
- SOS will be secretary of the commission without vote and help commission in all of its needs. Commission has procurement power, can hire staff/consultants and legal council. Can set its own rules.
- The legislature will fund the commission for legal council, hearings, publishing notices, maintaining records, hiring experts and “any other activity necessary for the commission to conduct its business”
- Pay for commissioners will be at least 25% of Governor’s salary. (currently $39,825)
- No commissioner can be discharged or threatened by their employer for taking part in this commission.
- Before drafting a plan, the commission shall hold 10 public hearings on the process, purpose and accept ideas on plans. Plans can also be submitted in written format and are public record. Final plan will have a 45 day public comment process.
- Meetings are subjected to the Open Meetings Act
- Commission and staff shall not discuss redistricting with members of the public unless its at a meeting for the public, or put into written for the request of public feedback on their performance. Commission may not directly or indirectly solicit or accept any gift of over $20 for the influence of their duties
- Each commissioner can only submit one plan per district type. After commission creates at least one plan, they will hold at least 5 public hearings on the plans to solicit input. The plans will have: census data, a map and legal descriptions of the map. (natural boundaries, plat language, roads ect.)

City of Detroit Charter Commission Candidate Forum
Meet the candidates who could reshape the City’s Charter.
November 1, 2018 5:30 - 8:30pm at IBEW
Register here: tinyurl.com/CD-Charter
PROPOSAL 18-2 DETAILS  PICKING A FINAL PLAN

A final decision to adopt a plan requires a majority of commissioners and 2 votes from each section of commissioners. Final votes require the concurrence of a majority of commissioners. Dismissal or retention of staff requires at least one member of each section on the vote.

IF NO PLAN CAN BE REACHED

Each commissioner can submit one type of plan for each elected grouping of districts. Each commissioner will then rank the plans in accordance to 1 being their least favorite and increase in number to the maximum amount of total plans considered.

The commission shall adopt the plan with the highest total ranked number, provided that at least 2 commissioners of a party not affiliated with the grouping that the plan’s creator is from, ranks it in the top half of their plans. If plan comes from non-political group, then 2 commissioners in one of the party groupings will be need to have placed the plan in their top half of their plans. If plans are tied for this highest point total, the SOS will randomly select a plan. If no plans fulfill this criteria the SOS shall randomly select a plan among all plans submitted.*

No later than 11/1 in the year after the census will the commission adopt a redistricting plan.

AFTER ADOPTING A PLAN

- Within 30 days, plan must be released in a format that shows it fulfills its obligations so that an independent person can understand it
- An approved plan will become law 60 days after its publication.
- MI Supreme Court may review a challenge to the plan.
- MI Constitution or U.S. Constitution it will be implemented to the fullest extent that is compatible with the law.

REMOVED LANGUAGE FROM THE CONSTITUTION

The current Michigan Constitutional language on a legislative redistricting commission was struck down in 1982 by the Michigan Supreme Court due to its violation of the Equal Protection Clause (14th Amendment) and is this not followed. Voters Not Politicians would replace this language with its own.

All language on “Commission on Legislative Apportionment” and its process is removed from the State Constitution. This is a formality.
WHAT IS GERRYMANDERING?

Gerrymandering is the unfair drawing of political districts to disproportionately benefit one party or candidate. This has been an issue of increasing frequency in the 21st century, due to extreme partisanship, self-segregation and computerized mapping models. Courts in Florida and Pennsylvania recently invalidated districts that were considered gerrymandered. The U.S. Supreme Court ruled in 1986 that gerrymandering was illegal, yet has never struck down a district in question. This year, the Court returned a gerrymandering case to Wisconsin, and had a procedural dispute with another case from Maryland. Some observers claim the Supreme Court is avoiding a major ruling on gerrymandering due to the difficulty in defining when a district is gerrymandered.

CONDUCTED BY BOTH PARTIES

Gerrymandering is done by both major political parties, with critics of Maryland’s districts claiming undue democratic gerrymandering, and critics of Michigan’s maps claiming undue Republican gerrymandering. Californian Democrats were largely against the successful 2008 ballot proposal to create an independent redistricting commission, since they controlled the state legislature.

“PACKING” AND “CRACKING”

Gerrymandering involves “packing” and “cracking” to diminish your opponents voters. A controlling party will “pack” their challengers’ voters into a few districts, thereby limiting their influence to a smaller number of districts and making it easier to win the remaining, larger share of districts. Extremely large vote victories for one party may indicate an instance of “packing.”

Parties will also “crack” a voting group of the opposition by splitting them up many districts. This voting group may have originally won a few districts for the opposition, but now will be spread out across several districts, unable to help win any one area.

HISTORY

Gerrymandering began in 1812, when Governor Elbridge Gerry of Massachusetts signed into law a redistricting plan put forth by the Republican legislature which greatly favored his Republican Party at the expense of the Federalist Party. Local newspapers decried that the odd-shaped district looked like a salamander and soon enough, the governor’s name was affixed to this animal description, and “gerrymandering” came into existence.

Boston Gazette on March 26, 1812, with the caption: “The horrid Monster of which this drawing is a correct representation, appeared in the County of Essex, during the last session of the Legislature.”
THE VOTING RIGHTS ACT & GERRYMANDERING

There is a strong connection that exists between the way our political districts are drawn and who is elected to represent us in Congress and the legislature. Historically, the fight over voting rights primarily had been access to the right to vote, but, in present day, has shifted to the strength of the vote itself. Political scientists often point to a strong correlation between racial and ethnic background and an individual’s partisan identity. It should be noted that those demographic factors regularly come into play while drawing political maps.

In the decades following American slavery, African-Americans and other people of color were systematically pushed away from their right to vote. In response, President Lyndon B. Johnson signed the Voting Rights Act into law in 1965. The Voting Rights Act of 1965 (VRA) removed barriers to voting access and political representation for African-Americans and other minorities during the Jim Crow era in the southern United States. In addition to eliminating unethical voter suppression and registration practices such as poll taxes, grandfather clauses, and literacy tests, the VRA required the preservation of majority-minority political districts.

Prior to the VRA, Southern election officials often would structure their elections in ways that were meant to dilute the Black vote and deny Black representation in elected office. This often looked like political boundaries were drawn so that Black communities were outnumbered by surrounding White communities via the “cracking” method. White election administrators would switch from district-based voting to city-wide, at-large, or county-wide elections which produced the same “cracking” effect. The VRA’s creation of majority-minority districts were seen as a protection against those unethical practices.

Concerns have been raised whether independent redistricting commissions (political entities with the charge to produce partisan-neutral districts) would have the unintended consequence of counteracting protections for majority-minority districts ensured by the VRA. Since Proposal 18-2 would be an amendment to the State Constitution, theoretically it would be superseded by the Voting Rights Act, which is a federal law. In a Vox article titled, “Does the Anti-Gerrymandering Campaign Threaten Minority Voting Rights?”, a study by the Brennan Center for Justice concluded that it is possible to prevent partisanship in the drawing of election maps and preserve minority voting rights at the same time.

BETHUNE-HILL V. VIRGINIA STATE BOARD OF ELECTIONS

In Virginia, Democrats initiated a lawsuit to challenge the 55% African-American population districts, despite support from some congressional Black Caucus members just a few years earlier for the districts. The suit claims the high density of African-American voters in these districts diminished their voting power in other districts. This June, the U.S. District Court for the Eastern District of Virginia sided with them and ruled that race was indeed the prominent factor used by Republican leaders in 2001 redistricting. The ruling forces Virginia to redistrict by Oct. 30th, 2018. Virginia Democrats likely believe that districts with minority populations under 50% can still wield large levels of influence in choosing their preferred candidate.
MICHIGAN’S CURRENT 14 DISTRICTS

Detail of Metro Detroit’s districts
IS MICHIGAN GERRYMANDERED? U.S. CONGRESS

Michigan has elections every two years for its fourteen U.S. Congressional Districts. Despite statewide swings in voter preference, the control of these seats has remained nine for the Republican party and five for the Democratic party. Analyzing victory margins shows Democratic seats with enormous vote leads, a possible example of the “packing” method of Gerrymandering.
IS MICHIGAN GERRYMANDERED? U.S. CONGRESS

INEFFECTIVE STATEWIDE VOTE SWINGS

When calculated in the “winner take all” geography of Michigan districts, a striking scenario occurred in 2012’s Congressional vote when Democrats (51%) captured 241,181 more votes than Republicans (46%). This larger statewide spread was ineffectual when counted in districts. Republicans gained nine seats and Democrats five.

PACKING?

Table A highlights the margins of victory for the Congressional winners of 2016 and the CPVI index, a measure of party strength in that district. The top three vote margins are all Democratic seats. John Conyers won the 13th district by over 158,000 votes. Most lopsided was Brenda Lawrence’s victory by over 186,000 votes in the 14th district. She won with a commanding 79% of the vote, by a margin over three times the margins of Republican districts. (Table A)

These large victory margins for three Democratic seats may be an instance of “packing” your opponents into as few districts as possible. These “extra” or “cushion” votes are less valuable in a secured district and are prevented from being influential in other Congressional Districts.

<table>
<thead>
<tr>
<th>District</th>
<th>CPVI</th>
<th>Party</th>
<th>2016 Winner’s Vote Spread</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michigan 1</td>
<td>R+9</td>
<td>Republican</td>
<td>53344</td>
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<td>Republican</td>
<td>73279</td>
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<tr>
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<td>R+7</td>
<td>Republican</td>
<td>50311</td>
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<td>Michigan 8</td>
<td>R+4</td>
<td>Republican</td>
<td>61838</td>
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<td>Michigan 9</td>
<td>D+4</td>
<td>Democratic</td>
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<tr>
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<td>Republican</td>
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<td>Republican</td>
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<td>Michigan 13</td>
<td>D+33</td>
<td>Democratic</td>
<td>158320</td>
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<td>Michigan 14</td>
<td>D+30</td>
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<td>186032</td>
</tr>
</tbody>
</table>

Table B

LOVE THE ACTIVITY, THE MAPS AND WANT MORE DETAILS?

Fivethirtyeight.com has you covered.
Visit http://projects.fivethirtyeight.com/redistricting-maps/michigan/#Proportional
Comparing statewide votes for each party to the number of districts they captured can show just how much influence district shapes have on the outcome. Table C contains the Michigan House votes in all three elections since Republicans controlled redistricting in 2011.

The results of the 2012 election show that despite receiving 340,000 more votes for their Michigan House candidates or 53% of the statewide vote share, the Democratic party could not win the majority of the House but gained only 46% of the 110 house seats. In 2016, the Republican total of votes for the Michigan House surpassed the Democrats by the small margin of 3,000 votes – a virtual tie of over 4.5 Million votes. Yet when tallied according to the 110 MI House Districts, this near parity of statewide votes lead to the Republican party winning 16 more individual races than their rival.

The drawing of district maps will always be unique and inevitably make some votes more valuable than others. The question our Judicial Courts have trouble answering is, At what point is a drawn district clearly gerrymandering? Currently in Michigan, large vote swings of 300,000 Michigan votes have little effect on the makeup of our elected officials and very likely indicates gerrymandering.

**FACT**

The average population of State House districts is roughly 90,000 people (89,851) from the 2010 census.

<table>
<thead>
<tr>
<th>Michigan House of Representatives - 110 Districts</th>
<th>2012 Election</th>
<th>2014 Election</th>
<th>2016 Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republican Party % of statewide vote share</td>
<td>46% (2,040,126 votes)</td>
<td>49% (1,467,593 votes)</td>
<td>50% (2,263,633 votes)</td>
</tr>
<tr>
<td>Democrat Party % of statewide vote share</td>
<td>53% (2,387,756 votes)</td>
<td>51% (1,541,022 votes)</td>
<td>50% (2,260,633 votes)</td>
</tr>
<tr>
<td>Republican Party State House districts won</td>
<td>54% of House seats (59 Districts)</td>
<td>57% of House seats (63 Districts)</td>
<td>57% of House seats (63 Districts)</td>
</tr>
<tr>
<td>Democrat Party State House districts won</td>
<td>46% of House seats (51 Districts)</td>
<td>43% of House seats (47 Districts)</td>
<td>43% of House seats (47 Districts)</td>
</tr>
<tr>
<td>MI House Change</td>
<td>Democrats gain 4 seats</td>
<td>Democrats lose 4 seats</td>
<td>No Change</td>
</tr>
<tr>
<td>Party Control</td>
<td>Republican</td>
<td>Republican</td>
<td>Republican</td>
</tr>
<tr>
<td>District Effect</td>
<td>+8% Republican, -7% Democrat</td>
<td>+8% Republican, -8% Democrat</td>
<td>+7% Republican, -7% Democrat</td>
</tr>
</tbody>
</table>

*Special, partial term election votes have been removed to create equal comparisons amongst the 110 Michigan House districts. Table C
FURTHER ANALYSIS
The Citizens Research Council of Michigan conducted three separate tests and methods of evaluating if Michigan’s districts are gerrymandered, the efficiency Gap (closely related to the above analysis), the mean-median test, and the t-test. These are widely-accepted standard tests for gerrymandering. The results of all three indicated that Michigan is likely a gerrymandered state.

2011 REDISTRICTING DOCUMENTS
A report by the Detroit News, originally covered by Bridge Magazine, and based on communications leaked from a Michigan Federal Lawsuit, reinforces the likelihood of gerrymandering. The lawsuit accuses the 2011 Legislative map of being gerrymandered and unconstitutional.

- Jack Daly, Chief of Staff to Fmr. Michigan Congressperson Thaddeus McCotter, sent a message to district map maker Jeff Timmer advising him that it is, “Easier to cram ALL of the Dem garbage in Wayne, Washtenaw, Oakland and Macomb counties into only four districts.”
- GOP redistricting guru Bob LaBrant, then a Michigan Chamber of Commerce official, told congressional map maker, Jeff Timmer in a May 2011 email that, “I think your map protects all nine incumbents and it looks good.”
- In another message, Bob LaBrant claimed, “We’ve spent a lot of time providing options to ensure we have a solid 9-5 delegation in 2012 and beyond.”

INCREASED COMPETITION?
Independent commissions are new to our political system, with fewer elections impacted by their redistricting. Additionally, states have one of five different primary systems that impact incumbents and in turn the competitiveness of districts. While difficult to draw complete conclusions, both Arizona and California have exhibited modest but increases in district competition from their independent commission. Of the independent commissions, both Arizona and California closely mirror Michigan’s Proposal 18-2.

In Arizona, districts have been 28% more competitive than the national average, with a 2017 ranking by the Associated Press finding the state to have the fourth most fairly drawn districts nationwide.

After California’s 2012 redistricting by an independent commission - districts won by under 10% increased from roughly 5% to 19%. When compared to a nationwide drop of 11% in the margin of victory in Congressional races, California was more competitive with a 30% drop in the margin of victory. However, few districts in California have changed by party.

POLITICS IS EVERYWHERE
Independent Commissions are not immune from politics. Both Colorado and Arizona’s independent commissioners have been met with great anger, threats and accusations of bias. Idaho’s commission was disbanded and its second commission’s maps thrown out by the Supreme Court. Other commissions like Washington’s, ended with new districts and little rancor. Should Proposal 18-2 pass, it is our expectation that both political parties in Michigan will attempt to control and manipulate the process. Safeguards in Proposal 18-2, such as randomly mailing out applications to potential independent commissioner candidates and following the Open Meetings Act attempt to mitigate this.
Every 10 years, congressional districts are drawn after the U.S. Census is conducted, per the U.S. Constitution. Under Title 2 of U.S. Code, the President submits to Congress the population sizes for each state after receiving the census counts. The Clerk for the House of Representatives, sends each state’s Governor the number of congressional districts they are apportioned from the 435 seats in the House of Representatives, including the mandatory one Representative per state. The average congressional district, according to the 2010 Census has 710,767 people. The population counts are of “residents,” and include non-citizens, children and federal government employees living overseas.

Congressional redistricting traditionally has been a state function. However, the federal government has intervened in the process through statutory law and judicial rulings that have stemmed from challenges to state-crafted plans. The redistricting process currently is dictated by a set of federal court rulings, federal statutory laws, state constitutions, state laws, and state court rulings. The following “rules” are mandated by federal law and may constrain the drawing of the boundaries of congressional districts (and to a large extent, state legislative district boundaries):

1. Equal population sizes of districts within each state with two or more districts
   (U.S. Constitution, Article I, Section 2)

2. Protection of the rights of racial and language minorities against vote dilution
   • Race cannot be the only factor used in districting
     (U.S. Constitution, 14th Amendment, Section 1, the “equal protection clause”)

3. Geographic compactness of districts - (currently required by 17 states)

4. Contiguity of districts -- (currently required by 22 states)

5. Preservation of the boundaries of political subdivisions (minimizes the splitting of county and town boundaries between congressional districts) (currently required by 18 states)

6. Maintenance of “communities of interest” (currently required by 13 states)

7. Protection of political incumbents (7 states allow, 5 states prohibit this)

8. Maintenance of current political representation by preserving the “core” of congressional districts (7 states require, 3 states already allow)

9. The promotion of electoral competition or prohibition of partisan considerations within congressional districts (7 states currently require this in congressional redistricting)
HOW MICHIGAN AND STATES REDISTRICT

MICHIGAN HAS A POLITICALLY CONTROLLED PROCESS OF REDISTRICTING

Redistricting committees of elected lawmakers in the State Senate and State House craft Michigan’s districts, and the Governor approves them. Michigan State statutes mandate that both congressional and state legislative districts meet the following requirements:

1. Districts should “comprise convenient and contiguous territory.”
2. Districts should “break as few county, city and township boundaries as reasonably possible.”
3. “If there are multiple districts within a city or township, districts [should] be as compact as possible.”

Michigan has redistricting language in the state constitution, but it was struck down in 1982 by the Michigan Supreme Court due to its violation of the Equal Protection Clause of the 14th Amendment. Since then, the Michigan legislature has created districts through the legislative process of passing a Public Act.

37 STATES

including Michigan have a politically controlled process for drawing their own state legislature districts.

42 STATES

including Michigan have political officials who control the drawing of congressional districts.

7 STATES

use “political commissions” upon which elected officials may sit.

6 STATES

almost all of them in the Western part of the country, have “Independent Commissions” that draw their state and U.S. Congressional districts. Proposal 18-2 would make Michigan number 7.
Glossary

Apportionment
The amount of Congressional districts each state receives from the Federal Government based on the census.

Bleaching
Bleaching creates wasted minority votes from packed majority-minority districts.

Contiguous
A district that’s parts are connected and unbroken.

Compact
A district that’s residents are close to one another.

Competitiveness
The ability of either party to win a district.

CPVI Index
The Cook Partisan Voter Index measures how strongly a district leans Democrat or Republican, based on the last two Presidential elections.

Cracking
Dividing a voting block of people across multiple districts to dilute their impact.

Gerrymandering
The drawing of districts to benefit a political party, candidate or people.

Independent Redistricting Commission
A commission that has no politicians or elected officials upon it. Independent Commissions vary in indirect lawmaker involvement.

Packing
Packing a voting block of people into one or two districts to dilute their impact in other races.

Redistricting
Drawing the borders of our Congressional and State districts.

Self-Segregation
The natural segregation of voters in geographies based on their political ideologies.
November 3rd, 2018
Noon - 5PM
Detroit PAL Headquarters
1680 Michigan Ave, Detroit, MI 48216

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Rally. Celebrate.

OUR VOICE IS POWER.

CitizenDetroit.org
@CitizenDetroit
SELECTED SOURCES IN ORDER OF APPEARANCE


NY Times, “Independently drawn Districts have proved to be more competitive”https://www.nytimes.com/2015/07/02/upshot/independently-drawn-districts-have-proved-to-be-more-competitive.html


**PROPOSAL 18–2: YOUR REDISTRICTING WORKSHEET**

<table>
<thead>
<tr>
<th>MAPS</th>
<th>Main Idea (2 Ideas/ Thoughts)</th>
<th>I’d Vote for this Map (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td></td>
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</tr>
</tbody>
</table>

Would you vote for Proposal 18–2?

Yes or No
GROUND RULES FOR DISCUSSION

Be respectful.
Participate. Be open, honest, and forthcoming.
Don’t dominate the discussion. Invite other points of view.
Listen and try to understand various perspectives.
Stay on topic and limit side conversations.
Turn cellphones off or to vibrate.
Be mindful of time!

STAY INFORMED. KNOW YOUR CANDIDATES. VOTE NOVEMBER 6TH!

CitizenDetroit has interviewed candidates running for office in 2018.
For candidate videos and questionnaires, visit InformDetroit.org
For judicial candidate evaluations, visit DetroitLawyer.org/judges/
To find your polling location and districts, visit Michigan.gov/vote

ALERT
Straight Party Voting will not be available in this year’s election on November 6th.
The 6th Circuit Court of Appeals overturned a lower Federal District Court decision by Judge Gershwin Drain to keep Michigan’s Straight Party Voting system, despite the Michigan Legislature banning it.

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