

FAIR MAPS WISCONSIN NEWSLETTER NOVEMBER 2020: VOL. 1, #15

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Meet Maureen Ash

Some years ago, well before I knew how gerrymandered Wisconsin had become, I was thinking about how to improve the situation for regular people in our country. It seemed to me that no one in power listened or cared unless money was involved.

I didn't see how I could change that, but my next thought was about how gerrymandering created disparities and made it possible for a politician to ignore the real concerns of his or her constituents. I thought that gerrymandering might be at the root of many of our country's problems. Fixing it might lead to more fair and responsive representation.

More than a year ago, I joined a group my friend Juliet Tomkins was starting: Pierce County Grass Roots Organizing (piercecountygro.org). Our goal, briefly stated, is to work toward greater prosperity in our county and region. As we discussed how we could improve prosperity for our neighbors, we realized that extreme gerrymandering had made

them—and us—essentially voiceless. Our representatives have safe seats no matter what we say or do. Why would they listen to us?

So one branch of PCGRO is Western Wisconsin for Nonpartisan Voting Districts (WWNVD). We have members from all over western Wisconsin, with teams who work on making videos, writing op-eds and letters to the editor, orchestrating events, and so forth.

We worked hard to get candidates elected who had signed a pledge to end gerrymandering. Disappointingly, we were unable to do so. All our candidates lost with the proportion of votes the gerrymander implemented after 2010 had projected.

It's frustrating! I feel as if the US Supreme Court sent us back with the instructions to pull ourselves up by our bootstraps and sold us all a pair of loafers.

I take inspiration from previous struggles. In particular, I look at the civil rights movement in our country. The courage and grit shown by regular people as they demanded, in the face of the brutality their white neighbors could so easily and freely inflict on them, puts me to shame. They continue to demand that our country live up to its promise and, in my small way, I am doing that, too.

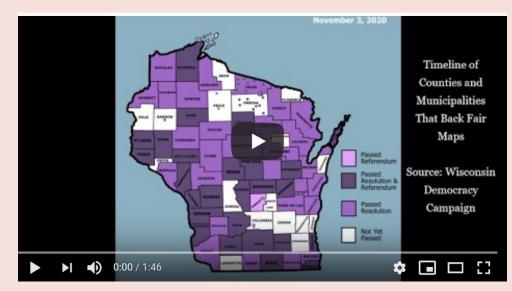


Look at what we accomplished!

Counties	%
Adams	63.5%
Bayfield	77.1%
Brown	71.9%
Crawford	70.0%
Door	73.6%
Dunn	64.1%
Iowa	73.8%
Jefferson	58.2%
Kenosha	72.9%
Rusk	57.4%
Waushara	64.5%
Average win %	67.9%
Municipalities	
Barron	71.1%
Land 'o Lakes	76.4%
Racine	66.8%
Village of Wind Point	72.0%
Average win %	71.6%

Eleven countywide and four municipal referendums in favor of nonpartisan redistricting passed in diverse communities around Wisconsin!

Animated timeline of local resolutions and referenda to end gerrymandering and bring independent redistricting to Wisconsin (11/4/20)





The theme for the People's Maps Commission focused in the 5th Congressional District was a look back at 2011, the last time Wisconsin's electoral maps were redrawn. <u>Experts</u>

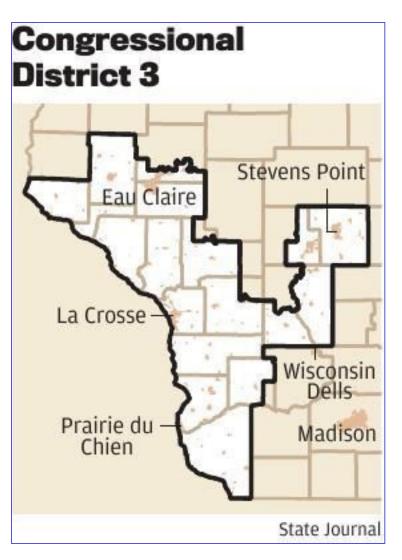
Professor Ken Mayer of UW Madison and Professor Keith Gaddie of the University of Oklahoma presented to the Commissioners and viewers regarding their expertise and perspective on what happened in 2011 and the subsequent litigation related to those maps. You can watch the recorded hearing <u>here.</u>

The next PMC hearing is scheduled for **Thursday**, **November 19**, at **5:30PM** and will focus on the **3rd Congressional District**, which includes all or part of 18 counties in the

central and western parts of Wisconsin. Professor Moon Duchin from Tufts University and Professor Jordan Ellenberg from UW Madison will make presentations regarding tools for mapping and defining communities of interest and integrating math with gerrymandering, respectively.

We **<u>STRONGLY</u>** encourage fair maps supporters in the 3rd CD to participate in the hearings. Please register to give <u>oral testimony here</u>. Submit written statements <u>here</u>.

To prepare voters for the hearings, the Fair Maps Coalition is hosting a panel discussion and testimony training in each CD as they move around the state. The 3rd CD panel can be viewed <u>here</u> and testimony training <u>here</u>.



Opportunity to Comment on Rule Petition on Redistricting at WI Supreme Court

When Wisconsin draws new state legislative and congressional district maps every 10 years, it's not uncommon for legal challenges to be a part of the process. Elected representatives or voters may file a lawsuit because they think the maps are unlawful, ormore frequently in Wisconsin-courts may get involved because elected officials can't agree on new maps. In June, the WI Institute for Law & Liberty (WILL) filed a petition asking the WI Supreme Court to adopt a new rule specific to future lawsuits regarding redistricting. If adopted, this rule would limit which court may hear redistricting challenges, how much judicial review maps are subject to, what evidence (if any) can be presented and who gets to participate in any court hearings. And this proposed rule, if adopted, could go into effect in time to control any litigation about new districts in 2021!

The Court set a deadline of **November 30** for **anyone** to submit comments on WILL's proposed rule. There will also be a public hearing in January where comments will be discussed. To be clear: these comments are not about the districts themselves. There will not be new maps until some time in 2021. The January 14 hearing and this opportunity to comment are about the ground rules for how maps are evaluated, and whose voice is heard in that process. **Making sure the process is thorough, fair and transparent is how we get to fair maps--when the time comes.** As long-time Representative John Dingell was fond of saying: "if you let me write the procedure and I let you write the substance, I'll beat you every time."

The proposed rule limits transparency, review, and public input in several ways.

The proposed rule does not provide adequate information to, or input from, the public. **Transparency is key for public trust.** Wisconsin citizens deserve to be informed of, and involved in, the redistricting process. The proposed rule would limit the flow of information, and even who could make arguments before the court.

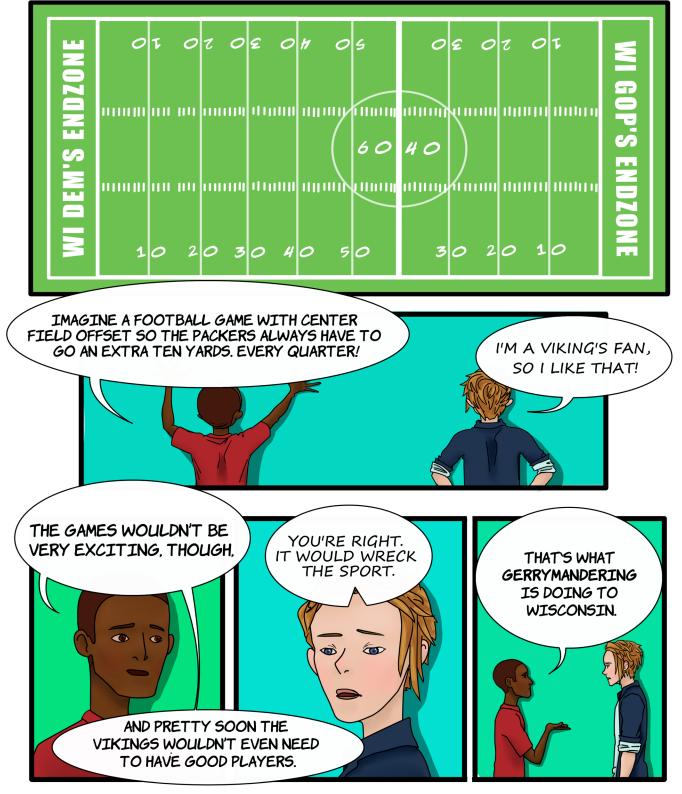
- It short-changes the legal process. The judicial process works best when it plays out in full. Instead of letting a case work its way up from a trial court, through an appellate court and then to the WI Supreme Court, this rule would have the process start at that last step--in the WI Supreme Court. This limits review and the opportunities to develop the record and correct mistakes along the way.
- The proposed rule **only considers partisan interests**. While political parties would be given automatic standing to present maps before the Court, nonpartisan groups and voters impacted by the new districts may be excluded under the proposed rule.
- Adopting this rule risks increasing **the politicization of the Court** and decreasing public trust in the Court as a legitimate institution. Inserting itself in this area of partisan conflict so early in the process, and so thoroughly that the Court is necessarily going to decide where the district lines wind up, threatens to give the impression the Court is a political branch rather than a neutral referee.
- This process shouldn't be rushed. Previously when the Court considered special rules for redistricting litigation, it spent years engaging experts and the public to examine potential procedures. After thorough review, the Court decided not to adopt special rules for redistricting after all. This time, instead of years of expert review, we've had only months for the Court to consider a proposed redistricting rule written by partisan insiders and taking a radically different approach than the experts recommended last time.

The Court will accept public comments on the proposed rule through Nov. 30. <u>Complete this form by</u> <u>Nov. 22 at 5:00pm via the Wis. Fair Maps Coalition to submit a comment.</u>

You can view WILL's petition laying out the proposed rule and the Court's letter seeking comments <u>here</u>.

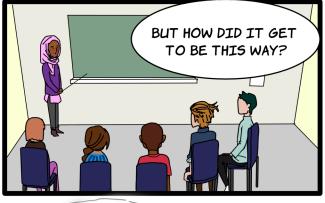
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ARE THE



Steps to Gerrymandering

I. In 2010 the Wisconsin GOP used partisan voting data to draw maps that would gurrantee them safe seats.

2. Now even if up to 59% of us vote for Democrats for assembly and state senate, the Republicans still hold a majority of seats, and thus the power.

HOW CAN THAT NOT BE WRONG?

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Other News and Resources



- <u>More voters show support for nonpartisan redistricting commission</u> — Channel3000.com
- Looking Back: Redistricting and the 2020 Election ElectionLawBlog.org
- <u>Plain Talk: Wisconsin voters want fair maps</u> Madison.com opinion
- <u>Election Day Was Only the Start: The Fair Maps Fight Is Heating Up in Wisconsin</u> — upnorthnewswi.com
- Democrats Have a Much Bigger Problem Than the Senate or the Electoral College
 Slate.com
- <u>Where Democrats will be locked out of power in redistricting battles next year</u> — WashingtonPost.com