

NONPARTISAN REDISTRICTING

A nonpartisan, citizen-led solution to lawmakers drawing their own districts.

Every ten years, state legislatures re-draw the lines of all election districts for themselves and their state's Congressional districts in order to adjust for population change in the decennial census. The practice of re-drawing election district lines to advantage incumbents and/or the party in power is called "gerrymandering." This common practice tends to disempower voters and undermine their trust in government when they know or suspect their vote will not count in a district biased towards one party. Today, sophisticated software and big data give legislators even more power to move redistricting even further away from impartiality.

In a poll conducted after the 2018 elections, by a margin of 73 to 14 percent, voters expressed support for removing partisan bias from redistricting, "even if it means their preferred political party would win fewer seats."¹⁷ Having sitting lawmakers choose their voters before voters get to choose them is seen as democracy in reverse.

Some states have created bi-partisan commissions intended to mitigate partisan bias. A more genuine, long-term solution is embodied by Independent Redistricting Commissions (IRCs), such as those in California and Arizona, that take a more non-partisan and independent approach. Three more states – Colorado, Michigan, and Missouri – had IRCs enacted this past election by voter-sponsored ballot measures. Independent commissions are used in almost all democracies similar to the U.S. that use single-winner election districts to draw district boundaries for their legislatures. Examples of this include England, Australia, and Canada.

How Independent Redistricting Commissions Work

The elements of Independent Redistricting Commissions (IRCs) are:

- *Composition:* IRCs are made up of 5-15 members diverse by partisanship, background, and geography.
- *Selection Process:* Applicants are appointed through an independent process that assesses their potential conflicts of interest (e.g. lobbyists, etc.) and commitment to unifying democratic principles.
- *Criteria:* Commissions must follow established criteria, such as promoting political competition, ensuring contiguous and reasonably compact districts, and respecting federal laws and standards, including the Voting Rights Act.
- *Public Engagement:* The commissions have explicit guidelines for transparency, public hearings, and educational outreach.
- *Rules for Plan Consensus:* A final plan(s) requires a consensus beyond a simple majority. The rules facilitate and incentivize both negotiation and compromise.

Benefits and Attributes

- Increases voter confidence by ensuring a more transparent, independent, and non-partisan process.
- Gives more priority to promoting political competition, and creates contiguous and compact districts.
- Includes representation of independents and third parties.
- To the extent that IRCs increase competition and reduce the number of non-competitive or uncontested districts, they contribute to increasing voter turnout.

Recommended Practices

- Bi-partisan commissions largely appointed by legislative leaders are insufficient. Commissions should be fully nonpartisan. They should include some commissioners unaffiliated with the two major parties, as the largest number of Americans identify as independents or members of third parties.
- Commissions need a set of agreed on criteria and a commitment to balance important redistricting factors such as contiguity, compactness, communities of interest, political competition, and equal opportunity under the Voting Rights Act.
- Commissions should have 9-15 members to allow better representation of different partisan beliefs, demographics, and geography and map-approval rules that facilitate and incentivize negotiation and compromise. See recommendations from the Brennan Center for Justice at its redistricting reform resource center. <https://www.brennancenter.org/issues/redistricting-reform-resource-center>

¹⁷ <https://campaignlegal.org/update/results-are-most-americans-want-limits-gerrymandering>

[America Goes to the Polls 2018](#)

- A full and accurate count of people in the Census at their last known address before incarceration to ensure fair representation of communities without undue distortion.

Resources

- Common Cause, commoncause.org/fairmaps
- Campaign Legal Center, campaignlegal.org/
- Brennan Center for Justice, brennancenter.org/
- National Conference of State Legislatures Redistricting, ncsl.org/research/redistricting.aspx
- Prison Gerrymandering Project, prisonersofthecensus.org/

States with Independent Redistricting Commissions

State	Year Enacted	State	Year Enacted
Arizona	2000	Missouri	2018
California	2008	Utah (Advisory)	2018
Colorado	2018	Iowa*	1980
Michigan	2018		

Source: National Conference of State Legislatures and organizations listed in this section as resources

* Not a commission but an independent process that gives legislators a set of computer generated maps based on set criteria and drawn by a nonpartisan legislative staff commission to choose from.

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