

Common Cause: State legislative and congressional voting maps fail the fairness test

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Testimony in Opposition to SB 621/AB 624 - Legislative Redistricting & SB 622/AB 625 - Congressional Redistricting

Chair Stroebel, Chair Swearingen & Members of the Committee,

I'm Jay Heck and, since 1996 I have had the privilege of serving as the Executive Director of Common Cause in Wisconsin, the state's largest non-partisan political reform advocacy organization with more than 8,000 members and activists. We are Republicans, Democrats, Independents, conservatives, liberals and everything in between — united in our commitment to transparent, accountable state government, fair elections, the preservation of our democracy and the kind of politics that serve all of the citizens of Wisconsin - above board, civil and honest.

And today, we are here to oppose these redistricting plans for new congressional and state legislative voting maps that have been conceived in secret, unveiled and unleashed on the citizens of Wisconsin just a week ago.

In 2010 Republicans won a resounding election victory in Wisconsin. In addition to capturing the Governorship they also swept to victory in both chambers of the Wisconsin Legislature and they captured a majority of the state's eight congressional seats. How did they win? The old fashioned way. They earned it. Republicans won on the strength of their ideas, their message and their candidates. They also won because it was possible to win elections in a fair fight in Wisconsin in 2010. This state's legislative and congressional seats weren't all rigged at that time to produce a pre-ordained outcome. They weren't all gerrymandered. Republicans

won majority control because it was possible to do so.

Partisan gerrymandering wasn't "a thing" in Wisconsin before 2011. This state has long been very evenly divided between Republicans and Democrats, with occasional third party surges, for decades. But that all changed ten years ago. In 2011, with all the levers of power in their hands, Republicans chose to enact into law the most partisan gerrymander of any state in the nation that year and one of the five most unfair, partisan gerrymanders in the nation in the last 50 years.

In a closed, secretive process very similar to this one now, Republicans rammed through their partisan state legislative and congressional voting maps to ensure a decade of uninterrupted political dominance and almost no change whatsoever in the partisan representation or composition of Wisconsin's 99 Assembly districts, 33 State Senate districts and 8 Congressional districts. Wisconsin continued to be a 50/50 state in statewide elections but as a result of the 2011 gerrymandering - Republicans simply could not ever lose their huge majorities in the Legislature or their 5 to 3 edge in the Congressional delegation. Their control was "locked in."

Elections changed virtually nothing throughout the past decade. Certainly state legislative and congressional elections didn't change the partisan configuration even if the overall statewide vote in Wisconsin swung from one side to the other. General elections for the State Legislature and for Congress in Wisconsin have become superfluous. What did change was that political polarization increased exponentially, individual legislative independence and conscience was crushed and accountability to voters plummeted. All to Wisconsin's detriment.

And the plans devised in secret by Republican leaders for redistricting this year continue this assault on democracy. They signaled their intention to keep the corrupt status quo in place three weeks ago when they rammed through the Legislature - along strict party lines - joint resolutions calling for new voting maps to "retain as much as possible the core of existing districts."

In 2011, Republicans moved hundreds of thousands of Wisconsin voters around to fashion the maximum number of districts they could not possibly lose for the next decade. Now, they want as little movement of voters as possible and keep the 2011 maps intact as much as possible. According to the Legislative Reference Bureau, these voting maps do just that. State Senate districts have a 92.1 percent core retention rate. For Assembly districts, the rate is 84.16 percent.

Keep in mind that Wisconsin is a 50/50 state in statewide elections, but under this plan, 62 of Wisconsin's 99 Assembly seats have a higher concentration of Republicans than the state as a whole. That would be just laughable if it wasn't so damaging to our representative democracy.

The Princeton University Gerrymandering Project has analyzed voting maps all over the country and graded all three of these maps – for the Assembly, the State Senate and for Congress – and awarded each with an overall F rating. And lest Princeton be accused of having some partisan bias, they also issued F's to redistricting plans devised by majority Democrats in Illinois and Oregon.

Today marks the first and only public hearing sanctioned by the Republican legislative leadership on redistricting or gerrymandering in over ten years – since July of 2011 when majority Republicans rammed through the most hyper partisan voting maps in the nation.

Back then, Wisconsinites were stunned, but by and large, were not engaged in the redistricting process and were relegated to the sidelines. The situation is vastly different now. There has been a sea change in citizen knowledge and engagement on this issue. Today, hundreds of thousands of Wisconsinites have worked to pass county advisory referendums and resolutions in more than three quarters of Wisconsin's 72 counties, including deeply red counties. They have made hundreds of thousands of contacts with you, their state legislators, demanding a non-partisan redistricting process and an end to the expenditure of millions of taxpayer dollars spent to keep voting maps rigged.

Poll after poll demonstrates that the citizens of Wisconsin, across the political spectrum, want the redistricting process and outcome to reflect their values in favor of fairness and for accountability of their elected officials in elections. They want partisan gerrymandering to end.

Now, in 2021 Wisconsinites are not and will not be stunned if you ram through these unfair, partisan state legislative and congressional voting maps as you did in 2011. But I assure you they are now and will be very steamed and stirred to continue the fight for fair voting maps if you repeat this profoundly undemocratic exercise in tyranny in the coming weeks. And this time, they – we, will not go quietly into the night.

This battle to end rigged elections and partisan gerrymandering in Wisconsin will

continue until that objective is achieved. And it will not end even a moment before.

Thank you.