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## Map quest; To develop a fair, nonpartisan redistricting system, California should look to Arizona.

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LEGISLATORS IN Sacramento are closer to approving a truly independent redistricting reform plan than at any time in modern state history. Gov. Arnold Schwarzenegger has supplied the carrot by pledging that if they do so, he will, in turn, support a loosening of the state's term limit law.

Virtually everyone agrees that to make political races more competitive, politicians must be taken out of the redistricting process. And four bills moving through the Legislature would do that by creating a nonpartisan commission to draw the state's political maps.

The odds of a bill getting the necessary two-thirds votes are still about 50-50, after which it would go on the February 2008 primary ballot. The best way to get there would be to borrow from Arizona's recent successful experience in remaking its reapportionment process.

The four bills currently in the state Legislature include a proposal by the Assembly Democrats that an independent redistricting commission include the nine private citizens who sit on the "Little Hoover" Commission, a state government watchdog group. The problem with this proposal is that it would not bar lobbyists from serving and would probably give Democrats control of the next redistricting because, in 2010, it's highly likely that Democrats will be governor, Assembly speaker and Senate president pro tem, who each appoint Little Hoover members.

Assembly Republicans want a panel made up of randomly selected voters in the last two elections who have no financial relationships with legislators or the state, but the idea lacks safeguards against partisans being chosen.

The two proposals in the state Senate, one Republican and one Democratic, would create a commission whose members would be picked by a committee of retired judges. But California voters have four times rejected redistricting reforms that gave judges a role.

Arizona did it differently. How its members are selected and how the commission conducts its business could serve as a useful model for California redistricting reform.

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After bitterly partisan legislative and court battles over redistricting throughout the 1990s, Arizona voters in 2000 overwhelmingly approved a reform measure, Proposition 106, that created the Independent Redistricting Commission. Excluding lobbyists, party officials, officeholders or recent electoral candidates, any registered Arizona voter can apply for a seat on the five-member commission. Expertise in redistricting is not required. Under the reform, applicants must demonstrate only a commitment to an "honest, independent and impartial" process.

Proposition 106's most important element is the commissioner screening process. Normally, the state's Commission on Appellate Court Appointments screens candidates for appeals court judgeships. Arizona's reform assigns it a new job: checking applicants to the redistricting commission. This helps keep partisan individuals off the commission.

The appellate court commission eventually narrowed applicants to a pool of 25 -- 10 Republicans, 10 Democrats and five independents -- from which GOP and Democratic leaders of each house of Arizona's Legislature chose one. The resulting four-member bipartisan commission then picked as its chairman one of the independents.

In 2001, the newly formed Independent Redistricting Commission launched an unprecedented public outreach campaign in redistricting Arizona after the 2000 Census, which gave the state two new House seats. It held 66 public hearings and meetings, allowing public comment at the beginning, middle and end of each. Every draft map was released to the public, and the public submitted dozens of its own, along with suggestions.

The reform's major weakness was that although it listed the criteria -- compactness (no bizarre shapes), competitiveness, keeping communities of interest (African Americans, Latinos) intact -- for drawing political lines, it did not prioritize them as most important. The concentrations of many of Arizona's communities -- racial, ethnic and demographic -- have bizarre geographical shapes, and they also tend to lean heavily toward one party or the other. Redistricting commissioners had to decide if it was better, say, to keep them largely whole or to split them to create more competitive districts. Their interpretation of the rules was challenged in court by Democratic leaders and Latino activists, who contended that the 2001 congressional and legislative maps were not competitive enough. The courts sided with the panel.

How competitive has Arizona's political map been? Both the 2002 and 2004 elections produced a congressional delegation of six Republicans and two Democrats. But in 2006, two congressional districts switched from Republican to Democratic (compared to one of 53 congressional districts changing hands in California). Because the GOP risks losing another seat in 2008, Democrats could emerge from that election with a 5 to 3 advantage. In state legislative elections, Democrats also gained, picking up seven seats in 2006 (compared to none in California). Absent Proposition 106, it's hard to believe that such a political shift could have occurred if Republicans had controlled redistricting.

Although California lacks a comparable body to Arizona's Commission on Appellate Court Appointments, it could set up a procedure to similarly screen applicants. For example, the secretary of state could create a candidate pool by randomly drawing from a master voter list, then reduce the number by screening out those who have a conflict of interest. Each of the Legislature's four top leaders could veto one candidate for the commission. In this way, a truly independent redistricting commission could be created.

None of the four redistricting commissions proposed in the Sacramento legislation would be as independent as Arizona's, but each includes part of the answer. Through compromise, state lawmakers can meet the independence standard of Arizona's overhaul. Only then will California's elections become truly competitive again.

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